UNITED STATES TREASURY DEPARTMENT PUBLIC HEALTH SERVICE HUGH S. CUMMING, SURGEON GENERAL

PUBLIC HEALTH LAWS AND **REGULATIONS ADOPTED DURING 1927**

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The Public Health Reports are issued weekly by the United States Public Health Service through its Division of Sanitary Reports and Statistics, pursuant to acts of Congress approved February 15, 1893, and August 14, 1912.

They contain: (1) Current information of the prevalence and geographic distribution of preventable diseases in the United States in so far as data are obtainable, and of cholera, plague, smallpox, typhus fever, yellow fever, and other communicable diseases throughout the world. (2) Articles relating to the cause, prevention, or control of disease. (3) Other pertinent information regarding sanitation and the conservation of public health.

The Public Health Reports are intended primarily for distribution to health officers, members of boards or departments of health, and those directly or indirectly engaged in or connected with public health or sanitary work. Articles of general or special interest are issued as reprints from the Public Health Reports or as supplements, and in these forms are available for general distribution to those desiring them.

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INTRODUCTION

This volume contains State and Federal public health laws and regulations which were enacted and adopted during the year 1927, and is one of a series of compilations dating from July 1, 1911. In chronological order the prior compilations are reprints Nos. 200, 264, 279, 338, and 406, and supplements Nos. 37, 38, 42, 43, 45, 47, 49, 51, 59, and 65. Reprint No. 200 contains sanitary laws and regulations enacted and adopted during the period from July 1, 1911, to December 31, 1912. Beginning with the year 1913 (reprint No. 264) the compilations have been issued annually, and each contains laws and regulations enacted and adopted during a particular calendar year.

Compilations of municipal ordinances and regulations pertaining to public health have also been issued periodically since 1910.

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PUBLIC HEALTH LAWS AND REGULATIONS

ADOPTED DURING 1927

ALABAMA

Venereal Diseases—Treatment—Isolation or Quarantine. (No. 625, Act September 6, 1927)

That section 1106, Code of Alabama, 1923, be amended so as to read as follows:

SEC. 1106. Persons required to be treated.—Prostitutes, and persons associated with them, are to be considered within the class of those reasonably suspected of being sources of infection. The county health officer shall require persons infected with venereal disease to report for treatment to a reputable physician and continue treatment until such disease, in the judgment of the attending physician, is no longer communicable or a source of danger to public health, or submit to treatment provided at public expense until discharged by the person in charge of the clinic, and also, when in his judgment such a course is necessary to protect the public health, to isolate or quarantine persons infected with venereal disease. Whenever any prostitute, or one associated with them, refuses to take and continue treatment for a venereal disease, as provided, such person or persons shall be committed to the county jail on the order of the county health officer, or physician in charge of a venereal clinic, and kept there for treatment until discharged as cured by the physician in charge of the case.

Impounding of Water—Regulation of, so as to Prevent Malaria. (Reg. Bd. of H., February 28, 1927)

[Regulations governing the impounding of waters were adopted by the State board of health on December 1, 1922. Because of a decision rendered by the Alabama Supreme Court on November 18, 1926, holding that the regulations had not been legally adopted, the State board of health readopted them on February 28, 1927.]

State Board of Health—Powers and Duties. County Health Officers—Powers, Duties, and Salary. Deaths—Burial or Removal Permits—Records and Reports of Sales of Caskets. Hospitals, etc.—Records of Personal and Statistical Particulars Regarding Patients and Inmates—Records and Reports of Births and Deaths in. Birth and Death Records—Certified Copies. Privies—Construction, Maintenance, and Use. Communicable Diseases—Isolation—Quarantine. Resistance to Local Health Officers in Performance of Duties—Procedure in Case of. Food Establishments—Prescribing of Regulations for Inspection and Operation of, Directed—Closing. (No. 640, Act September 9, 1927)

That sections 1051, 1058, 1059, 1073, 1074, 1081, 1087, 1134, 1135, 1141, 1146, of the Code of Alabama, of 1923, all relating to the public health laws of Alabama, be amended to read, respectively, as follows:

SEC. 1051. (702) State board of health; authority and jurisdiction.—The State board of health shall have authority and jurisdiction:

1. To exercise general control over the enforcement of the laws relating to public health.

¹ Supplement 47 to Public Health Reports, p. 11. ² Wheeler v. River Falls Power Co., 111 So. 907.

2. To investigate the causes, modes of propagation, and means of prevention of diseases.

3. To investigate the influence of localities and employment on the health of the people.

4. To inspect all schools, hospitals, asylums, jails, almshouses, theaters, opera houses, courthouses, churches, public halls, prisons, stockades where convicts are kept, markets, dairies, milk depots, slaughter pens or houses, railroad depots, railroad cars, street railroad cars, lines of railroads and street railroads, including the territory contiguous to said lines, industrial and manufacturing establishments, offices, stores, banks, clubhouses, hotels, rooming houses, residences, and other places of like character, and whenever insanitary conditions in any of these places, institutions, or establishments, or conditions prejudicial to health, or likely to become so, are found, proper steps shall be taken by the proper authorities to have such conditions corrected or abated.

5. To examine the source of supply, tanks, reservoirs, pumping stations, and avenues of conveyance of drinking water, and whenever these waters are found polluted, or conditions are discovered likely to bring about their pollution, proper steps shall be taken by the proper authorities to improve or correct conditions.

6. To adopt and promulgate rules and regulations providing proper methods and details for administering the health and quarantine laws of the State, which rules and regulations shall have the force and effect of law and shall be executed and enforced by the same courts, bodies, officials, agents, and employees as in the case of health laws, and a quorum, as provided for by the constitution of the medical association of the State of Alabama shall be competent to act when written approval of any measure has been obtained from each of the other members of the board.

7. To exercise supervision and control over county boards of health and over county health officers and county quarantine officers in the enforcement of the public health laws of the State in their respective counties and whenever any such county board of health, county health officer, or county quarantine officer shall fail or refuse to discharge its or his duties said duties may be discharged by the State board of health until proper arrangements are made to insure their discharge by said county board of health or said county health officer, or said county quarantine officer, as the case may be.

8. To act as an advisory board to the State in all medical matters and matters of sanitation and public health.

Sec. 1058. (706) Duties of county health officer.—It shall be the duty of the county health officer to exercise, subject to the advice of the committee of public health and in accordance with the health laws of the State, general supervision over the sanitary interests of the county, and should he discover any causes of disease, or the existence of any condition detrimental to health of the people, he shall, so far as authorized by law, compel the removal or abatement of the same, and should no authority for removal or abatement exist, he shall report the fact to the county board of health, adding such recommendations as to special action as he may deem proper.

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2. To make personal and thorough investigation of the first case, or early cases, of any diseases suspected of being, or known to be, any one of those enumerated in section 1092 (716) of this code that may come to his knowledge, or be reported to him, and should he decide such case, or cases, to be one of those enumerated in said section, and in imminent danger of spread ng, he shall in accordance with the law institute immediate measures to prevent the spread of such disease and shall forthwith report the facts to the judge of probate of the county, to the chairman of the county board of health, and to the State health officer. He shall cause to be kept accurate records regarding the incidence, cause, source, and results of all such outbreaks. Said records are to be kept on file in the office of the county health department of the several counties in which such outbreaks occur or in the State health department when necessary. Said records, when certified to by the county health officer or his successor in office, under oath, shall be accepted as evidence of the facts set forth in the record by the courts.

3. To obtain as needed.—To obtain as needed at the expense of the county a sufficient supply of vaccine virus with which to vaccinate without charge all persons in communities where an outbreak of smallpox has occurred and repressive measures, as provided for in section 1093 of the code of 1923, have been invoked, also when the vaccination of school children, as provided for in the school code, has been ordered.

4. To visit the county jail, all convict camps where any county convicts are worked and the county almhouse, at least once a month and to make careful investigation as respects the drinking water, the food, the clothing and bedding supplied to the prisoners of the former and the inmates of the latter; also, as to the ventilation, air space, heating and bathing facilities, closets, drainage, etc., of these institutions, and when any of said supplies are found to be inadequate in quantity or deficient in quality, or any of said conditions insanitary, the county health officer shall make in writing a circumstantial report thereof to the judge of probate and court of county commissioners or other like board, whereupon said judge of probate and court of county commissioners shall carry out whatever recommendations are made by the county health officer as respects the county jal and county almhouse, and said health officer shall forward duplicates of his reports to the county board of health and to the State health officer. He shall visit the county courthouse and other public buildings belonging to the county once each month and make investigation corresponding with those laid down in this section as applying to the jail and almhouse, and should he find insanitary conditions existing he shall report the same to the court of county commissioners or other like board, and the court of county commissioners shall remedy the insanitary condition in accordance with the recommendations of the county health officer.

5. To make to the State board of health by or before the tenth day of each calendar month a full report, so far as the facts reach him, of all cases of infectious diseases and of all births and deaths, specifying the cause of the latter, that occur in the county, including all municipal ties therein, for the

preceding month.

6. To make to the judge of probate and court of county commissioners or other like board and to the county and State boards of health monthly report of all public health and sanitary work done in the county during the preceding month. This report shall contain such information, suggestions and recommendations in regard to the protection of the health of the people as he may deem proper.

7. To make to the State health officer prompt report of the presence in the county, so far as is reported to him, or as comes to his knowledge, of any of the diseases enumerated in section 1092 (716) of this code, furnishing such informa-

tion and at such intervals as the State health officer may require.

8. To make to the county board of health such reports and at such time as

said board may require.

9. To appear before the grand jury at each of its sittings and to report all violations of the health laws of the State, especially any failures on the part of the physicians of the county, including all municipalities therein, to report the births, deaths, and infectious diseases that occur in their practice; also to report all failures on the part of midwives to report the births and the deaths that occur in their practice; also, to report failures on the part of dealers in coffins to report all sales of coffins made by them

10. In case of a contemplated absence from the county by the county health officer, or in case of his disability from any cause of a character so as to interfere with the discharge of his official duties, he shall notify the chairman of the county board of health and the State health officer of such condition; and he shall, in writing, name a member of the county medical society who is acceptable to the county board of health, to act for him during his absence or disability, but his absence or disability shall not be for longer than 30 days, unless he first obtains the approval of the State health officer.

11. To be present at all meetings of the county board of health for the purpose of keeping that body fully informed, as to health conditions prevailing in the county and to likewise keep the court of county commissioners or other

like board informed on such matters as said board may deem proper.

12. To attend all conferences of county and municipal health officers which may be called by the State health officer.

13. To discharge such other health functions as are or may be required of him by law.

14. To occupy an office in the courthouse of the county, to be assigned by the court of county commissioners or other like board and in the event that an office in the courthouse is not available the same court or board may in its discretion provide an office for him conveniently located with reference to the courthouse, and the court of county commissioners or other like board may in its discretion appropriate from the revenue of the county such sums as are found necessary to furnish and equip the office of the county health officer with all necessary supplies, and furnish all necessary clerical help, transportation and other expenses of the county health officer, and may in its discretion appropriate from the revenues of the county money for the prosecution of public health work which has been recommended by the county health officer and indorsed by the county board of health and approved by said court of county commissioners or other like board.

15. To visit so far as lies in their power all cases of infectious or contagious diseases that occur in the county, for the purpose of seeing that all proper measures are enforced to prevent their spread, and to repeat these visits from

time to time as may be necessary.

16. To make a special effort to locate all cases of tuberculosis and pellagra in the county, especially incipient cases, with a view of not only urging prompt treatment thereof, but also the adoption of such precautions as are deemed

necessary to protect them.

17. To inspect the schools of the county at least once annually with the view of seeing that they are supplied with pure drinking water and surrounded by sanitary conditions in all respects, especially to investigate whether or not said schools are equipped with sanitary closets; further, to examine the pupils of the schools at least annually for the purpose of ascertaining any defects of sight or of hearing that may exist, or of ascertaining the presence of adenoids, enlarged tonsils, skin diseases, spinal curvature, hookworm disease, etc., that may interfere with progress in their studies, and whenever any of the above named diseases or defects are discovered the county health officer shall so notify the parents of the child affected.

18. To teach the proprietors of slaughterhouses, dairies, grocery houses, hotels, lunch stands, etc., the importance of protecting all food products from dust and insects of every kind and to require the proper protection of food products by glass cases, screens, or other devices approved by the county board of health and to impress upon the people of the county the importance

of similar protection in their own homes.

19. To teach the people of the county by lectures, newspaper articles and demonstrations the causes, modes of propagation, and of prevention of diseases, with special references to the spread of diseases of flies, mosquitoes, rats, fleas, ticks, and other vermin, also the importance of screening their houses against these purveyors of disease,

20. To teach the people of the county how to maintain sanitary conditions in and around their homes, especially how to supply themselves with pure drinking water and pure milk, and also how to provide sanitary closets.

21. To make such reports as may be required of them to the county board of health, to the court of county commissioners and to the State health officer, said reports to be made on such blanks and forms as may be prescribed by the State board of health.

22. To attend meetings of the court of county commissioners or board of revenue from time to time, or whenever so requested, for the purpose of giving said court or board all desired information as respects the public health interests

of the county.

SEC. 1059. The salary of the county health officer.—The salary of the county health officer shall be fixed by the county board of health, subject to the approval of the court of county commissioners or other like governing board and the State board of health, and shall be payable monthly from the county treasury as in the case of other salaries paid by the county: Provided, That in those counties in which a budget has been provided and agreed upon by the State, county, or other contributing agencies, it may be paid out of said budget, by or under the direction of the State board of health, as other claims are paid

out of said budget.

Sec. 1073. Burial or removal permit; duty of undertaker.—The undertaker, or person acting as undertaker, or in the absence of such person, the head of the household, shall file the certificate of death with the local registrar of the district in which the death occurred and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from the person best qualified to supply them over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the health officer or coroner as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record, as provided in two preceding sections, and he shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address, and pre-

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sent the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial permit to the person in charge of the place of burial, before interring or otherwise disposing of the body; or shall attach removal permit to the box containing the body, when shipped by any transportation company; said permit to accompany the body to its destination, where, if within the State of Alabama, it shall be delivered to the person in charge of the place of burial.

SEC. 1074. Dealers in coffins; record and report of.—Every person, firm, or corporation selling a burial casket and every person who makes one on a special order shall keep a record showing the name and post-office address of the purchaser or orderer, name, sex, color, and age of deceased, and date and place of death of deceased, which record shall be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation selling caskets or making them on special order shall report to the State registrar each sale or making for the preceding month, on a blank provided for that purpose: Provided, however, That no person, firm, or corporation selling caskets to dealers or undertakers only shall be required to keep such a record, nor shall such report be required from undertakers when they have direct charge of the disposition of the body. Every person, firm, or corporation selling a casket at retail, and not having charge of the disposition of the body, shall inclose within the casket a notice furnished by the State registrar calling attention of the family to the requirements of the law, a blank certificate of death, and the rules and regulations of the State board of health

concerning the burial or other disposition of a dead human body.

SEC. 1081. Managers of hospitals, etc., keep records of patients and inmates.— All superintendents, managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases or confinement, or are committed by process of law, shall forthwith make a record of all the personal and statistical particulars relative to the inmates in their institutions which are required in the forms of the certificates provided for by this section, as directed by the State registrar; and thereafter such record shall be by them made for all future inmates at the time of their admittance, and, in case of persons admitted for treatment of disease, the physician in charge shall specify for entry in the record the nature of the diseases and where, in his opinion, it [sic] was contracted. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained they shall be obtained in as complete a manner as possible from relatives, friends, or other persons acquainted with the facts. Furthermore, all superintendents, managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases or confinement, or are committed by process of law, shall keep a record of all births and all deaths within their institutions and on the first day of each month shall report such births and deaths for the preceding month, on such form as the State board of health shall provide, to the county health officer, or, in counties without full-time county health officer, to the State registrar. Nothing in this section shall be taken to relieve the undertaker or other person having charge of burial or removal of his responsibility to file death certificate in accordance to section 1073 or the responsibility of physicians to file birth certificate in accordance to section 1077.

SEC. 1087. Certified copy of record of births or deaths; fees to State registrar.—The State registrar, upon request, shall supply to any applicant entitled to same a certified copy of the record of any birth or death registered under provisions of this article, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. Any such copy of the record of a birth or death, when properly certified by the State registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn said fees over to the State treasurer. The State registrar shall, upon request of any parent or guardian, supply, without fee, a certificate limited to a statement as to the date of birth of any

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child when the same shall be necessary for admission to school or for the purpose of securing employment. The United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of births and deaths

without payment of fees herein prescribed.

Sec. 1134. Sanitary privies; how required.—It shall be unlawful to build, maintain, or use an insanitary privy, or one that is or is likely to become a menace to the public health, anywhere within any incorporated town or village or hamlet or at or within 300 yards of any school, church, dairy, or other food-handling establishment, or at any residence which is less than 300 yards distant from any other residence. The State board of health, or the committee of public health, acting through its duly authorized agents or employees, shall require, by notice, every person, firm, or corporation, or agent thereof, owning or occupying property in such districts as described above to install the required number of sanitary privies conforming to specifications of the State board of health, or to connect with sewer lines, or to dispose of sewage in such sanitary manner as shall be approved by the State board of health. All privies built following the serving of a notice shall conform in every respect with the specifications, rules, and regulations applying to sanitary privies made and promulgated by the State board of health, and shall be maintained as prescribed by the said rules and regulations.

SEC. 1135. (717) Isolation and detention of cases of disease.—Whenever the State health officer or his representative, or the county health officer or his representative, shall be notified of any person or persons afflicted with any of the diseases named in section 1092 (716) of the code of 1923 or having been in contact with a person or persons afflicted with any one of the diseases named in section 1092 (716) of the code of 1923, he shall at his discretion isolate or quarantine such person or persons. Such quarantine shall be established and maintained in accordance with the rules and regulations adopted by the State board of health for the control of the disease with which the person or persons

is afflicted.

SEC. 1141. (721) Resistance to health officer .- If, in the attempt to perform any duty enjoined by any section in this article 1 of chapter 31 of the code of 1923, the health officer of the county, city, or town shall be forcibly resisted, or threatened with forceful resistance, such health officer shall make affidavit before the judge of any court of record, the judge of probate, or any justice of the peace of said county that said forceful resistance has been made, or threatened, whereupon the officer before whom said affidavit has been made shall forthwith issue his warrant directed to the sheriff, or to any bonded constable of said county, commanding said sheriff, or constable, to remove or abate under the direction of said health officer said insanitary condition, or source of infection, or offensive or indecent material or thing, or to remove said afflicted persons, and it shall be the duty of said sheriff, or constable, to whom said warrant shall be delivered to promptly execute the same. In executing every such warrant the said sheriff, or constable, shall have the right to enter by force into any such lot, piece of ground, house, or vessel, or upon such pond, lake, or stream.

Sec. 1146. (723) Inspection of places where food is sold; State board of health to prescribe regulations for inspection of.—The State board of health shall prescribe rules and regulations for the inspection and operation of all grocery stores, vegetable stores, delicatessen stands, meat stands, restaurants, dining cars, lunch stands, eating places, hotels, rooming houses, and public dining rooms, soda fountains, bottling plants, tourist camps, abattoirs [sic] and packing plants, oyster plants, including shipping of same, and any and all other foodhandling establishments and other like places, together with pantries, kitchens, and yards belonging thereto, and shall furnish copies of said rules and regulations to county boards of health and to county health officers, whereupon it shall be the duty of said county boards of health and county health officers to enforce such rules, and the county health officer, or if there be none, the county board of health, is hereby given authority to close any of the places named in this section which are kept in an insanitary condition, or if the owner or manager of same violates said rules and regulations. When such place is closed to the public by the county health officer, it shall not be reopened until his written permission is obtained. In the event that any establishment named in this section should be closed by order of the county health officer the owner thereof shall have the right to appeal to the county board of health. Such board shall investigate such cases and affirm or reverse the action of the ALABAMA

county health officer. Once every month the county health officers may announce publicly all places inspected during the previous month which have been found in good sanitary condition. In any particular case under this section, the State board of health and the State health officer may, if in their discretion the special circumstances make it advisable, take out of the hands of the county board of health and the county health officer the enforcement of this section and proceed themselves to enforce it, the State board of health acting in the place of the county board of health and the State health officer in the place of the county health officer.

State Health Officer—Appointment, Salary, and Duties. (No. 41, Act February 10, 1927)

Section 1. That section 1053 of the code of 1923 be and the said section 1053

is hereby amended so as to read as follows:

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SEC. 1053. The State board of health shall elect an executive officer to be known as the State health officer, and shall fix his term of office and salary, provided that the latter shall not exceed \$7,500 per annum. The State health officer so elected shall, under the direction of the State board of health, exercise general supervision over county boards of health and county and municipal health officers, and shall promptly report to said county boards of health any delinquencies of official duty on the part of said county and municipal health officers, which may come to his knowledge; shall keep himself informed in regard to all infections [sic], contagious, and pestilential diseases, which may be in danger of invading the State, and shall, so far as authorized by law, take prompt measures to prevent such invasion; shall keep the governor informed as to the health conditions prevailing in the State, especially as to outbreaks of any of the diseases enumerated in section 1092 of this code, and shall submit to the governor such recommendations as he deems proper to control such outbreaks.

County Quarantine Officers—Appointment, Removal, Salary, and Duties. (No. 143, Act July 13, 1927)

[This act amends section 1063 of the code, 1923, to read as follows:]

1063. There shall be in each county having no health officer a county quarantine officer who shall be a licensed physician, and who shall be appointed by the State committee of public health on the recommendation of the county board of health, whose tenure of office shall expire on the election of a county health officer, provided that in no event shall his term of office extend more than three years from the date of his appointment, and provided further that the State committee of public health shall have power to remove a quarantine officer at any time in its judgment the public good requires such removal. The salary of the county quarantine officer shall be fixed at not exceeding \$25 per month by the court of county commissioners or other like board and shall be paid in monthly installments from the county treasury as in the case of other salaries paid by the county. The county quarantine officer shall, under the supervision and control of the State health officer and county board of health, perform all the duties in connection with the isolation and quarantine of cases of infectious and contagious diseases that are required of county health officers in counties having county health officers.

County Public Health Work—State Aid for Organization and Promotion of. (No. 403, Act August 26, 1927)

SEC. II. In addition to amounts appropriated in Section I of this act, and to any and all appropriations of money now made or to be made hereafter, there is hereby appropriated annually for the public health work of the State of Alabama a sum to be known as the county organization fund, to be used as a State aid fund for the organization and the promotion of public health work in the several organized counties of the State, which appropriation shall be in the amount of \$2,500 for each county organized under a health unit. It shall be made available when a county shall make an appropriation of an adequate sum of money, to be approved by the State board of health as to the amount thereof, necessary to do efficient work and secure a permanent organization. All coun-

ties which shall be found organized on the date of the passage of this bill, except such as are already provided for, shall share in this appropriation from

that date.

SEC. III. The appropriation made in the preceding section of \$2,500 per county may, at the discretion of the State board of health and the approval of the governor, be used and be available for use in counties in which there is no public health unit for the purpose of making demonstration in public health work, provided that such demonstrations shall be limited to such a reasonable period of time as shall be necessary to educate the people to the value and importance of the work and until the county's financial condition will permit it to appropriate such sums of money as will provide for a permanent health organization. Each of said counties shall be selected and designated by the State board of health. The annual appropriation of \$2,500 per county shall be expended through the county board of health by the State board of health, or under its direction by the executive officers, and any county failing to comply with the rules prescribed by the State board of health at any time, whether before or after being organized or before or after the beginning of the health demonstration herein provided for, as the case may be, shall forfeit it right to share in this fund.

Dairy Farms, Milk-Cooling Stations, Milk-Processing Plants, and Creameries— Inspection—Grading Milk and Cream Output of. (No. 262, Act August 13, 1927)

Section. 1. The sum of \$20,000, or such part thereof as may be necessary, is hereby appropriated annually for the expenditure by the State board of health in inspecting dairy farms, milk-cooling stations, milk-processing plants, and creameries, and for grading the milk and cream output of such establishments.

SEC. 2. The said inspections shall be made in accordance with the rules and regulations of the State board of health, and the grading of the milk and milk products shall be carried out in compliance with the specifications of

the United States Public Health Service, standard milk ordinance.

Sec 3. Said sum of money, having been appropriated shall be paid in monthly installments to the State health officer on his requisition approved by the governor, and through warrants by the auditor on the State treasurer.

Habit-Forming Drugs—Sale, Dispensing, and Possession. (No. 633, Act September 6, 1927)

SECTION 1. That on and after the taking effect of this act it shall be unlawful for any person in the State of Alabama to sell or barter any opium or cocoa [coca] leaves, or any compound, manufacture, salt, derivative or preparation thereof; provided, that this act shall not apply:

(a) To the dispensing, prescribing or distributing of any of the aforesaid drugs to any patient by a physician, dentist, or veterinary surgeon registered in the State of Alabama under the provisions of the several acts regulating

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the practice of their profession.

(b) To the sale, dispensing, or distributing of the aforesaid drugs by a pharmacist registered under the laws of the State of Alabama governing the practice of the profession of pharmacy to a consumer under and in pursuance of a written prescription issued to such a consumer by a physician, dentist, or veterinary surgeon registered in the State of Alabama under the provisions of the several acts regulating the practice of their profession.

(c) To the sale or distribution of any of the aforesaid drugs by any whole-

(c) To the sale or distribution of any of the aforesaid drugs by any wholesale druggist, dealer, manufacturer, producer, or compounder within the State to each other, or to a retailer, or to a physician, dentist, or veterinary surgeon registered in the State of Alabama under the provisions of the several acts regulating the practice of their profession.

SEC. 2. That it shall be unlawful for any person in the State of Alabama to have in his possession or under his control any opium or cocoa leaves, or any compound, manufacturer, salt, derivative or preparation thereof; pro-

vided, that nothing in this section shall apply:

(a) To any physician, dentist, or veterinary surgeon registered in the State of Alabama under the provisions of the several acts regulating the practice of their profession.

(b) To any retail dealer or pharmacist registered under the laws of the State of Alabama governing the profession of the practice of pharmacy.

(c) To any wholesale dealer, wholesale druggist, manufacturer, producer or compounder engaged in business as such under and by virtue of the laws of the State of Alabama.

(d) To any person having in his possession or under his control any of the aforesaid drugs which has or have been prescribed or dispensed by a physician, dentist, or veterinary surgeon registered in the State of Alabama under the provisions of the several acts regulating the practice of their profession.

(e) To any person having in his possession any of the aforesaid drugs by virtue of his lawful employment or occupation, and not on his own

account.

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(f) To any United States, State, county, municipal, district, territory, or insular officer who has possession of any of the aforesaid drugs by reason of his official duties.

(g) To any warehouseman holding possession of any of the aforesaid drugs

for a person exempted under the provisions of this act.

(h) To any common carrier engaged in transporting any of the aforesaid drugs.

SEC. 3. That the provisions of this act shall not be construed to apply to the sale, distribution, giving away, or dispensing of preparations and remedies by any person exempted under this act which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than oneeighth of a grain of heroin, or more than 1 grain of codein or any salt or derivative of any of them in 1 fluid ounce, or if a solid or semisolid preparation in 1 avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine, or any of its salts or alpha or beta cocaine [eucaine?], or any of their salts or any synthetic substitute for them. And providing further that any manufacturer, producer, compounder, or vendor of paregoric, Godfrey's Cordial, Bateman Drops shall keep a record of all sales, exchanges, or gifts of such preparations in such manner as may be directed by the State board of pharmacy. Such record shall be preserved for a period of two years and shall be accessible to any inspecting officer, agent, or employee of the State board of pharmacy.

Sec. 4. That it shall not be necessary to negative any of the aforesaid exemptions in any complaint, information, indictment, or other writ of proceedings laid or brought under this act; and that the burden of proof of any such exemp-

tion shall be upon the defendant.

SEC. 5. That any person violating the provisions of section 1 of this act shall be guilty of a felony, and on conviction thereof shall be punished by a fine of not less than \$100, nor more than \$2,000, and imprisonment in the penitentiary for not less than two years nor more than five years; and any person violating the provisions of section 2 of this act shall be guilty of a felony, and on conviction thereof shall be punished by a fine of not less than \$100 nor more than \$2,000, and imprisonment in the penitentiary for not less than one year and not more than five years. Any person violating any of the provisions of section 3 of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$200. It shall be the duty of the circuit and criminal court judges in the State to give the provisions of this act in special charge to the grand jury, and the grand jury shall have and exercise inquisitorial power over any violation of this act, and no prosecutor shall be required for an indictment against a person for violating the provisions of this act.

SEC. 6. That all laws and parts of laws in conflict herewith shall be and the same are hereby repealed, "provided, however, that nothing contained herein shall be construed to modify, amend, or repeal sections 2831 and 2832 of the Code of Alabama of 1923," and that this act shall take effect from and after its

passage, the public welfare requiring it.

Births—Penalty for Failure of Physicians and Midwives to Report—Repeal of Law. Deaths—Penalty for Failure of Heads of Families, Persons Selling Coffins, and Physicians to Report—Repeal of Law. (No. 627, Act September 9, 1927)

[This act repeals sections 4348, 4349, 4352, 4355, and 4356 of the code, 1923. The repealed sections provided penalties for the failure of certain persons to report births or deaths.]

Matters of Sanitation and Construction or Reconstruction of Sewer Systems and Sewage Treatment or Disposal Plants—Powers of Certain Cities Outside Their Corporate Limits but Within Police Jurisdiction Concerning. (No. 374, Act August 26, 1927)

Section 1. That this act shall apply to any city in this State having a population of not less than 60,000 and not more than 150,000 inhabitants, according to the last or any subsequent Federal census.

SEC. 2. Any city of the class mentioned in section 1 hereof shall have the same power with respect to all matters of sanitation in the territory embraced in the police jurisdiction of such city, as it has in the territory located within

the corporate limits of such city.

SEC. 3. That any city of the class mentioned in section 1 hereof shall have the same power with reference to the construction or reconstruction of sanitary sewer systems and sewage treatment or disposal plants and the construction or reconstruction of outlets for such sewer systems within the police jurisdiction of such city as it has within the corporate limits of such city.

SEC. 4. Any city of the class mentioned in section 1 hereof shall have the same power with respect to the assessment of the cost of any construction or reconstruction covered by section 3 of this act against the property abutting upon or served or benefited or increased in value by reason of such construction or reconstruction, where such property is located outside of the corporate limits of such city and within the police jurisdiction of such city, as it has under existing law with respect to assessments against property located within the corporate limits of such city and served, benefited or increased in value by reason of such construction or reconstruction, and shall have the same power to issue bonds or negotiable notes to pay for such construction or reconstruction, as it has under the law where such assessment is made against property located within the corporate limits of such city. All laws governing or relating to such assessments against property located within the corporate limits shall apply to such assessment made against property outside of the corporate limits and within the police jurisdiction of such city. All laws relating to the issuance of bonds to obtain money to pay for the cost of such construction or reconstruction, where the whole or any part of such cost is assessed against property located within the corporate limits of the city shall apply and govern the issuance and sale of bonds to obtain money to pay for cost of such construction or reconstruction, where such cost is assessed in whole or in part against property located outside of the corporate limits of such city and within the police jurisdiction of such

Sec. 5. All laws or parts of laws in conflict with the provisions of this act are hereby repealed.

SEC. 6. If any word, sentence, clause or section of this act should be declared unconstitutional, the remainder shall stand.

Dry Closets, Water-Closets, and Septic Tanks—Powers of Cities and Towns Regarding. (No. 44, Act February 17, 1927)

That section 2051 of the Code of Alabama of 1923 be amended so as to read as follows:

[2032. (1276) In addition to the powers hereinbefore granted to them, all cities and towns of this State shall have the following powers, and the councils of such cities and towns may provide by ordinance, or resolution, for the exercise or enforcement of the same: * * * *]

2051. (1293) Water-closets, privies, etc.—To regulate dry closets, water-closets, and septic tanks, and the construction thereof, and to compel the installation of the same, and connection of such water-closets with such septic tanks or with the sewerage system of the city or town, and in case of a failure to install or connect after reasonable notice, then the city or town may install proper dry closets, water-closets or septic tanks as it seems advisable, and connect such water-closets with such septic tanks or with the sewerage system of the city or town, at the expense of the owner, the cost thereof to be a lien upon the property in favor of the city or town, to be collected as other debts are collected or liens enforced. When dry closets, water-closets or septic tanks are installed and connections made by the city or town under the provisions of this section, the mayor of such city or town shall prepare a statement in writing setting forth the name of the owner and a description of the property on which

such improvements have been made, together with the cost of such sanitary connection and installing of the closets or septic tanks, which must be signed by the mayor in his official capacity and filed with the probate judge of the county in which such property is situated for record in the mortgage records of the county. The filing of such statement shall operate as notice of the existence of such lien from the date of its filing.

ALABAMA

ALASKA

Assistant Commissioners of Health—Appointment and Salary. (Ch. 50, Act May 4, 1927)

Section 1. Section 2, chapter 35,1 of the Session Laws of Alaska, 1919, is

hereby amended to read as follows:

SEC. 2. The Governor of Alaska shall also designate or appoint one physician and sanitarian in good standing and licensed to practice medicine in the Territory of Alaska in each judicial division, where the commissioner does not reside, as an assistant commissioner of health. They shall hold office for the term of two years, and until their successors are appointed and qualified, unless sooner removed by the Governor of Alaska, and shall receive an annual salary of \$600, payable monthly from the Territorial treasury out of moneys not otherwise appropriated.

¹ Supplement 42 to Public Health Reports, p. 41.

ARIZONA

Milk and Milk Products—Production, Handling, Labeling, Pasteurization, and Sale—Milk to Be Served in Original Bottle in Restaurants, etc. (Ch. 31, Act March 4, 1927)

Section 1. That section 4 of chapter 8, First Special Session Laws of Arizona, 1918, as amended by section 3, chapter 123, Session Laws of Arizona, 1919, and again amended by section 2, chapter 74, Session Laws of Arizona,

1925, be and the same is hereby amended so as to read as follows:

SEC. 4. It shall be unlawful for any person, firm, or corporation producing milk to sell or offer for sale any milk or products derived therefrom that is produced by unhealthy cows or in insanitary surroundings, or that is drawn from cows within 15 days before or 5 days after calving, or that is handled, stored, or shipped in dirty, rusty, or insanitary cans. The use of preservatives in milk or cream, except small samples for testing, shall be unlawful. Milk which is to be separated must be separated immediately after each milking, and the cream of each separation cooled before mixing with cream of another separation, and the cream must be kept in wholesome condition in sanitary surroundings until transported to the creamery or manufacturing plant.

It shall be unlawful for the owner or any person having the management or control of any lunch counter, restaurant, or other place where milk is sold by the glass for drinking purposes, to sell any milk to any customer other than in the original bottle in which the same was put up by the producer, creamery, or milk depot, bearing on the cap or sealer the name of the producer, creamery, or milk depot, and which said cap or sealer shall not have

been removed prior to actual delivery to the consumer.

No producer or distributor of milk or milk products shall label said milk or milk products with a grade label, except as authorized by municipal ordinance, or by special permit issued by the State dairy commissioner.

All milk or milk products sold as pasteurized shall have been pasteurized as required herein. The temperature and time record charts shall be dated and preserved for a period of three months for the information of the State

dairy commissioner.

Whenever the term "pasteurization," "pasteurized," "pasteurize," and similar terms are used they shall be taken to refer to the process of increasing the safety of milk and milk products and which shall be by heating every particle thereof to a temperature of not less than 145° F., and holding at such temperature for not less than 30 minutes in pasteurizing apparatus approved by the State dairy commissioner, the temperature and time being automatically recorded by a temperature and time recording device approved by the State dairy commissioner or by the United States Public Health Service.

Cattle, Sheep, and Goats-License for Slaughter of. (Ch. 77, Act of 1927)

Section 1. That paragraph 3741, Revised Statutes of Arizona, 1913, Civil Code, as amended by chapter 97, Session Laws of Arizona, 1921, and further amended by chapter 31, Session Laws, 1925, is hereby amended to read as follows:

3741. The livestock sanitary board may grant to applicants therefor, on the payment of the fees herein provided and the presentation of proof showing good moral character upon the part of the applicant, a license to slaughter cattle, sheep, and goats as may be set forth in such license so granted. If such slaughter business is to be carried on within, or within 4 miles of, any town of more than 5,000 inhabitants, the applicant shall pay to such board a sum

Supplement 38 to Public Health Reports, p. 20.
 Supplement 42 to Public Health Reports, p. 49.
 Supplement 59 to Public Health Reports, p. 6.

equal to \$150 per annum for a license to operate such business of slaughtering, the same to be at a fixed and definite slaughtering place. In the event that such slaughtering business is to be carried on within, or within 4 miles of, any town of 3,000 or more inhabitants and less than 5,000 inhabitants, then the applicant for such license shall pay the said board at the rate of \$120 per annum for such license; in case the business is to be carried on within, or within 4 miles of, any town of 1,000 or more inhabitants and less than 3,000 inhabitants, the applicant shall pay to said board at the rate of \$90 per annum for such license; all licenses to designate a fixed and definite place where such slaughtering is to be done; in all other cases an applicant shall pay at the rate of \$30 per annum for such slaughtering licenses.

No license issued under the foregoing provisions of this paragraph shall be issued for a shorter term or less proportionate rate of fee than will apply thereto, computed from the date of the issuance of such license up to December 31 of the year in which such license is issued: Provided. That any person, whether a producer or not, who slaughters animals for sale for food, shall be required to obtain a special license, which shall designate the place where such person intends to slaughter and from what livestock, by showing the names of owners, brands, and other identifying marks of animals to be slaughtered under that special license, and shall state the number of animals intended to be slaughtered under such special license, which in no event shall be of a number greater than 5 head of cattle nor more than 20 sheep or 20 goats. No more than one special license shall be issued to any applicant for slaughter in any one year. Persons slaughtering more than the limit number provided in a special license, before slaughtering same, shall procure the regular license at the regular rates in this paragraph required.

It shall be a misdemeanor for any person to slaughter any animal of the kind mentioned in this act for sale for food, or to peddle or offer for sale any portion thereof, without first procuring one of the two classes of licenses in this paragraph specified; and the possession of the carcass, or of any portion of the meat of any such animal mentioned herein, shall be prime facie evidence of a violation of this paragraph, unless the person in whose possession such carcass or meat is found shall be able to show that the animal of which it is the whole or part was actually slaughtered under the authority of a license issued under the provisions of this paragraph: And provided further, That for good cause shown the said livestock sanitary board may, by an order entered upon its minutes after notice to the holder of such license of its intention so

to do, revoke any license issued hereunder.

ARKANSAS

State Negro Tuberculosis Hospital—Supervision, Management, and Operation.
(Act 37, February 28, 1927)

SEC. 7. The governor shall appoint, with the advice and consent of the senate, an honorary board for the management and operation of the negro tuberculosis sanatorium. The said board shall consist of five members, each of whom shall serve for a term of six years: Provided, That one of the members appointed immediately upon going into effect of this act shall serve for a term expiring June 30, 1928, another for a term expiring June 30, 1929, a third for a term expiring June 30, 1930, a fourth for a term expiring June 30, 1931, and the fifth for a term expiring June 30, 1932.

SEC. 9. Each person appointed to membership on the honorary boards aforesaid, before entering upon his duties shall subscribe to the oath of office prescribed by the constitution and shall swear that he or she will not be interested, directly or indirectly, in any purchase or sale made by the institution over which he is to exercise control or in any contract made with it. Any violation of this additional oath shall render the offender liable to prosecution for perjury.

SEC. 10. The governor shall have the power to remove any member of said board for cause. In such event, he shall file in the office of the secretary of state a proclamation setting forth the reasons for the removal of such member and shall mail to him a copy thereof. The secretary of state shall, upon the receipt of such proclamation, cause his records to show a vacancy in the membership of the board, and the governor shall thereupon appoint

a member to fill the vacancy for the unexpired term.

SEC. 11. Immediately upon the qualification of the boards herein provided for, the present board of control, under act 49 of 1925, shall deliver to the honorary boards, respectively, all books, papers, records, files, and all property of any character whatever in their custody or control belonging to the State of Arkansas for the use of the respective institutions.

SEC. 12. Each of the honorary boards aforesaid shall organize by electing one of their members as chairman and another as secretary except as hereinafter

provided in section 18.

Said boards of managers shall select the superintendent of the respective institution committed to its care, and shall exercise such powers of supervision and control as are not hereinafter specificially reserved to said superintendent, * * *. The superintendents of said institutions shall be required to give their entire time to the management and operation of their respective institutions and shall be selected because of their previous training and fitness to care for the institution intrusted to their care. * *

The boards of managers shall fix the salaries of officers and employees not

already fixed by law, * * *.

SEC. 13. Each of the superintendents authorized by the next preceding section shall be required to give bond in a sum fixed by the respective boards, payable to the State of Arkansas, for the faithful discharge of his duties and the proper accounting for all moneys and property coming into his possession as such officer. The bonds aforesaid shall be made by any surety company authorized to do business in Arkansas, approved by the governor, filed in the office of the secretary of state, and paid for by the State out of current expenses appropriated by the respective institutions.

Sec. 14. The immediate conduct and management of said institutions shall be intrusted to the respective superintendents. Said superintendents shall have power to select and engage all employees of said institutions at salaries fixed by the board of managers, reporting the same for approval to the board at the next regular meeting thereof. The superintendent shall have the sole power to remove employees of the respective institutions, and may remove any employee at any time in his discretion for cause, but in case of such removal he

shall report the same and the ground therefor to the board of managers. No one shall be employed by any superintendent who is of kin by blood or marriage within the fourth degree of said superintendent or any member of his board; except that, with the approval of the board of managers, the wife of said superintendent may be employed as matron or housekeeper. * * *

SEC. 15. Each of said honorary boards of managers shall meet at least monthly and shall fix a regular date for said monthly meeting. The members of said boards will be entitled to necessary traveling and hotel expense incurred by them in attending any meeting of said boards, said expense to be allowed

from the maintenance fund appropriated for said institution.

SEC. 19. Act No. 49 of 1925 and all laws and parts of laws in conflict herewith are hereby repealed, and this act shall be in force and effect from and after June 30, 1927.

Bedding-Manufacture, Remaking, Renovation, Labeling, and Sale. (Act 249, March 24, 1927)

SECTION 1. That the term "bedding" as used in this act shall be construed to mean any mattress, upholstered spring, comforter, pad, cushion, or pillow designed and made for use in sleeping.

The word "person" as used in this act shall be construed to impart the plural and the singular, as the case demands, and shall include individuals, corporations, partnerships, joint-stock companies, societies, and associations.

The word "new" as used in this act shall mean any material which has not been used in the manufacture of another article or used for any other purpose.

The words "previously used" as used in this act shall mean any material which has been used in the manufacturing of another article or used for any

other purpose.

When construing and enforcing the provisions of this act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any individual, corporation, partnership, joint-stock company, society, or association, within the scope of his employment or office shall in every case be also deemed the act, omission, or failure of such individual, corporation, partnership, joint-stock company, society, or association as well as that of the person.

Sec. 2. No person shall use in the making or remaking of any article of bedding as herein defined any material of any kind that has been used by or about any person having an infectious or contagious disease, or has formed a part

of any article of bedding which has been so used.

Sec. 3. No person shall sell, offer for sale, deliver, consign for sale, or have in his possession with intent to sell, deliver, or consign for sale, any article of bedding that has been used by or about any person having an infectious or contagious disease.

Sec. 4. No person shall remake or renovate any article of bedding unless all the material to be used in said remade or renovated bedding shall first be thoroughly sterilized and disinfected by a process approved by the State health

commissioner.

Any person who receives bedding to be renovated shall attach to each such article of bedding at the time of its receipt a tag upon which has been legibly written the name and address of the owner of the bedding and the date it was received for renovation.

No person shall use in the making of bedding any previously used material unless such material has been sterilized and disinfected by a process approved

by the State health commissioner.

Sec. 5. No person shall sell, offer for sale, deliver, consign for sale, or have in his possession with intent to sell, offer for sale, deliver, or consign for sale,

any article of bedding unless the same be labeled as follows:

Upon each of such articles of bedding there shall be securely sewed upon the outside thereof a label upon which shall be legibly written or printed, in the English language, the name of the material or the names of the materials used as the filling of such article of bedding; if all the material used as the filling of such article of bedding shall not have been previously used, the words "manufactured of new material" shall appear upon said label, together with the name and address of the maker of the bedding.

¹ Supplement 59 to Public Health Reports, p. 17.

If any material used in the making or remaking of such article of bedding shall have been previously used, the words "manufactured of previously used material" or "remade of previously used material," as the case may be, shall appear upon said label, together with the name and address of the maker thereof, and also a description of the material used in the filling of such article of bedding.

On any article of bedding not remade, but which has been used, shall be

labeled "secondhand."

The label required by this section shall be muslin or linen, and not less than 2 by 3 inches in size. The statement required under this section shall be in form as follows:

The words "manufactured of new material" or "remade of previously used material," or "secondhand," "materials used in filling not known," together with the description of the material used as the filling of an article of bedding shall be in letters not less than one-eighth of an inch in height.

The sewing of one edge of the said label securely into an outside seam of any article of bedding shall be deemed a compliance with that portion of the act requiring that the label be "securely sewed" upon the article. This label shall contain all the statements required by this act and shall be securely sewed to the ticking or cover of every article of bedding to be manufactured, before the filling material has been placed inside the ticking or cover.

No term or description likely to mislead shall be used on any label required by this act, in the description of the materials used in the filling of any article

of bedding.

Sec. 6. Any person, other than a purchaser for his own use, who shall remove, deface, alter, or shall cause to be removed, defaced, or altered, any label upon any article of bedding so labeled under the provisions of this act shall be guilty of a violation thereof.

SEC. 7. If the label shall bear the word "felt," it shall be construed to mean that the materials from which the felt was made, has [have] been carded layer

upon layer by a garnett or felting machine.

Sec. 8. Any person who shall fail to comply with any of the provisions of this act shall be guilty of a violation thereof. The unit for a separate and distinct offense in violation of this act shall be each and every article of bedding made, or remade, or sold, or offered for sale, or delivered, or consigned, or possessed with intent to sell, offer for sale, deliver, or consign, contrary to the provisions hereof.

Sec. 9. It shall be unlawful for any owner, his employees, or servants, of any hostelry or hotel, rooming or boarding house operated for profit, to remove or cause to be removed from mattress purchased for the use in their place of business after the effective date of this act, or [any?] label attached thereto.

Sec. 10. It shall be unlawful and punishable by provisions of this act for any person, firm, or corporation, or their agent or agents, to use or cause to be used in the manufacture or renovation of mattresses materials of any description, in whole or in part, that have been used in or about any public or private hospital or sanatorium for the treatment of any infectious or contagious disease or materials obtained from mattresses from hotels, rooming and boarding houses, and other public buildings where mattresses have been used for their original purpose: Provided, however, That this shall not prevent the use of materials as prohibited in section — [sic], when they have been thoroughly sterilized by a method of sterilization approved or adopted by the State board of health, but in which event the mattress shall be labeled as indicated in section — [sic], as may apply.

Sec. 11. There shall be nothing in this act so construed as to prevent any individual from manufacturing, renovating, or having manufactured or renovated, mattresses for his or her own home or domestic use: *Provided*, That any individual, firm, or corporation who shall so manufacture or renovate a mattress for another, as set out in this act, shall be required to label same as

provided in section — [sic] hereof.

SEC. 12. It is hereby made the duty of the State board of health to promulgate and publish rules and regulations prescribing the method of sterilization that may be used by those engaged in the manufacture of mattresses and bedding, or in the renovation thereof. All persons, firms, or corporations who shall conform to the regulations as promulgated by the State board of health, as herein directed shall be deemed as complying with the law.

SEC. 13. Any person, firm, or corporation who shall fail to comply with any of the provisions of this act shall be guilty of a violation of this act, and each and every mattress manufactured, remade, or renovated, sold, offered for sale, delivered, consigned, or possessed with an intent to sell, offer for sale, deliver, or consign contrary to the provisions of this act shall be deemed a separate

offense.

Sec. 14. Every person who shall be found guilty of a violation of the provisions of this act shall be subject to a fine of not less than \$25, nor more than \$250, or not less than 30 days, nor more than 90 days in prison, or both, as the court may deem proper.

CALIFORNIA

Communicable Diseases-Reports of Cases. (Ch. 285, Act April 29, 1927)

[This act amends section 16 of ch. 492, laws, 1907, to read as follows:]

Sec. 16. All physicians, nurses, clergymen, attendants, owners, proprietors, managers, employees, and persons living in or visiting any sick person in any hotel, lodging house, house, building, office, structure, or other place where any person shall be ill of any infectious, contagious, or communicable disease shall promptly report such fact to the county, city and county, city, or other local health board or health officer, together with the name of the person, if known, and place where such person is confined, and nature of the disease, if known.

It shall be the duty of each city, city and county, or other health officer to transmit to the county health officer at least weekly in writing a report showing the number and character of infectious, contagious, or communicable diseases reported and locations from which such cases have been reported.

Communicable Diseases—Quarantine—Reports by Local Health Authorities to State Health Authorities—Isolation—Placarding—Disinfection—Handling and Sale of Milk. (Ch. 360, Act May 7, 1927)

[This act amends section 13 (as amended by ch. 339, laws, 1911) of chapter

492, laws, 1907, to read as follows:]

SEC. 13. The following rules and requirements shall be strictly observed in all cases of quarantine subject, however, to such changes and modifications as the State board of health or its secretary may otherwise require and direct.

RULE 1. Every county, city and county, city, or town board of health, or chief executive health officer thereof, upon receiving information of the existence of such diseases within its or his jurisdiction, must immediately quarantine each and every case of Asiatic cholera, yellow fever, typhus fever, plague, smallpox, scarlet fever, diphtheria, (and such other contagious or infectious diseases), as may from time to time be declared quarantinable, and in addition to their local rules and regulations shall follow all general and special rules, regulations, and orders of the State board of health or its secretary.

Said health board or officers must, within 24 hours after quarantine, report fully, in writing, to the secretary of the State board of health all of such cases quarantined: Provided, however, That said health officers shall immediately report by telegraph to said secretary of the State board of health every case discovered or known of plague, Asiatic, cholera, yellow fever, or typhus fever, and after investigation and within 24 hours shall report the cause, source, and extent of contagion and infection, and all acts done and measures adopted in each case, and shall make such further reports as the secretary of the State

board of health may require.

Rule 2. In addition to the list of quarantinable diseases given in rule 1 of this section the following is a partial list of contagious, infectious, and communicable diseases, all of which, though not required to be quarantined, must be properly reported in writing to the State board of health, or its secretary, by the said local health boards or chief executive health officers, viz, chicken pox, erysipelas, pneumonia, uncinariasis or hookworm, epidemic cerebospinal meningitis, trachoma, whooping cough, mumps, dengue, dysentery, tuberculosis, typhoid fever, tetanus, malaria, leprosy, measles, German measles, glanders and anthrax affecting human beings, rables, pellagra, beriberi, syphilis, gono-coccus infection, and poliomyelitis, and any disease which appears to have become epidemic. The diseases last above enumerated, and such others as from time to time may be added thereto by the State board of health or its secretary, shall be quarantined whenever in the opinion of the State board of health, and shall be isolated whenever in the opinion of the State board of health, its secretary, or the local board of health or health officer isolation is necessary to protect the public health. This list can be changed at any time by the State board of health or its secretary.

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RULE 3. When any building, house, structure, or part thereof, or tent or other place, is quarantined because of a contagious, infectious, or communicable disease, said local health boards or chief executive health officer shall cause to be firmly fastened in the most conspicuous place upon such house, building, tent, or other place a yellow placard, upon which shall be printed the following

a misdemeanor.

The word "quarantined" as it appears upon such placard shall be printed

in plain and legible letters of at least 2½ inches in length.

Such placard shall not be removed by any person except the health officer or his deputies, nor shall the same be obstructed or obscured in any manner

by any person whatever.

RULE 4. When persons quarantined in a house, building, structure, tent, or other place have recovered from the disease for which the quarantine is established, or when the quarantine is for exposure to a contagious, infectious, or communicable disease, and the period of incubation designated has elapsed, the quarantine shall not be raised by order of the local board of health or local health officer until every exposed room, together with all bedding, clothing, and all other personal property contained therein, has been thoroughly disinfected, or if necessary such personal property may be destroyed, by or under the direction of the health officer or his deputy, and until all persons quarantined shall have taken a thorough antiseptic bath and put on clothing free from contagion.

RULE 5. Whenever quarantine is established by any local board of health or health officer to prevent the spread of any contagious, infectious, or communicable disease it shall be the duty of all persons to obey the rules, orders, and

regulations of such health board or health officer.

RULE 6. No milkman shall take away milk bottles or other receptacles for milk from any building, house, structure, tent, or other place, in which a contagious, infectious, or communicable disease exists or has existed, nor from any place within any quarantined district, nor at any time after such quarantine has been removed, unless with the written permission of the local health officer, and after such milk bottles or receptacles have been disinfected and

cleaned to the satisfaction of such officer.

RULE 7. Whenever there exists in the house of any milkman, milk dealer, or milk distributor any case of cholera, typhus fever, plague, scarlet fever, diphtheria, membranous croup, leprosy, anthrax, glanders, cerebrospinal meningitis, whooping cough, typhoid fever, dysentery, trachoma, or tetanus, then it shall be unlawful for such milkman. milk dealer, or milk distributor to continue the sale or distribution of milk until the local board of health or chief executive health officer has appointed at the expense of the county where such milkman, dealer, or distributor lives a person to superintend his cows, dairy, or other place where such milk is sold, or from which it is delivered or distributed, and all cows, bottles, vessels, and milk utensils. Such person so appointed by the local board of health, or chief executive officer, shall strictly require that all persons attending to the cows, dairy, sheds, milk cans, bottles, vessels, and milk utensils shall not have access to the infected house, or any communication with the persons who reside in such infected house, except with the permission and under the inspection of the local health officer.

RULE 8. Every person subject to quarantine, residing or being in a quarantined building, house, structure, or tent, shall not go beyond the lot upon which such building, house, structure, or tent is situated, nor put himself in immediate communication with any person not subject to quarantine, other than the health officer and physician. The local board of health or local chief executive health officer maintaining a quarantine shall appoint, or cause to be appointed, a suitable person to perform necessary outside services for the necessary wants of the persons quarantined. Such person so appointed shall never enter the building, house, structure, or tent nor come in personal contact with any of the persons quarantined but shall leave at the entrance of the building, house, structure, or tent, or at such other place as may be designated by the health officer or deputy, all articles which he may have brought, and he shall strictly

observe the orders of the local health officer.

Certain Communicable Diseases—Reports of Cases—Instructions Regarding Precautionary Measures—Duties of Local Health Officer—Isolation—Removal of Cases—Disinfection—Attendance at Schools and Gatherings—Incubation Periods—Periods of Communicability—Contacts—Immunization—Control Measures. (Reg. Bd. of H., February 5, 1927)

Rule 1. Notification.—Any person in attendance on a case of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis, or trachoma, or a case suspected of being one of these, shall report the case immediately to the local health officer, who shall in turn report at least weekly on the prescribed form to the secretary of the State board of health all cases so reported to him. In the absence of local rules permitting notification by telephone the report to the local health officer shall be in writing.

When no physician is in attendance it shall be the duty of the head of a private house or the proprietor or keeper of any hotel, boarding house, lodging house, or superintendent of any orphanage or school to report forthwith to the local health officer all the facts relating to the illness and physical condition of any person in any private house, hotel, boarding house, lodging house, orphanage, or school under his charge who appears to be affected with any disease presumably communicable, together with the name of such person.

RULE 2. Instruction to household.—It shall be the duty of the physician in attendance on any case suspected by him to be chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis, or trachoma to give detailed instructions to the nurse or other person in attendance in regard to precautionary measures for preventing the spread of the

disease.

RULE 3. Investigation of cases.—Upon being notified of a case of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis, or trachoma, the local health authority shall make an inquiry regarding the probable source of infection. If this source of infection is outside his jurisdiction, he shall notify the State board of health in order that it may inform the health authority, (local or State), within whose jurisdiction the infection was probably contracted. The local health officer shall determine that the instructions are understood and observed and in the event of nonobservance shall take proper legal steps for their enforcement. The health officer shall

confirm all diagnoses of chicken pox in adults.

Rule 4. Isolation.—It shall be the duty of the local health officer to see that cases of chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis, or trachoma are properly isolated and to define the area within which the patient and his immediate attendants are to be officially isolated. Without permission from the local health officer no person shall carry, remove or cause or permit to be carried or removed from any hotel, boarding house, lodging house, or other dwelling, any person affected with chicken pox, measles, German measles, mumps, whooping cough, epidemic cerebrospinal meningitis, or trachoma. Isolation in these diseases is defined as that degree of detention necessary to insure noncontact with susceptible persons.

Isolation shall be terminated only by the local health officer. When the isolation is terminated the area of isolation shall be disinfected by the boiling, or immersion in disinfecting solution of articles of clothing and bedding of the patient and the washing with soap and water, or with some disinfectant, of woodwork, furniture, and any other objects that may have been handled by the

patient.

Rule 5. Exclusion by school authorities.—It shall be the duty of the principal or other person in charge of any public, private, or Sunday school to exclude therefrom any child or other person affected with a disease presumably communicable until such child or other person shall have been seen by the school physician or nurse, or shall have presented a certificate issued by the local health officer, or by the attending physician and countersigned by the local health officer, stating that such child or other person is not liable to convey a communicable disease.

CHICKEN POX

The minimum period of isolation within the meaning of this regulation shall be until 12 days after the appearance of the eruption and until the crusts have fallen off.

1. Infectious agent.-Unknown.

2. Source of infection.—The infectious agent is presumably present in the lesions of the skin and the mucous membranes; the latter appearing early and rupturing as soon as they appear render the disease communicable at an early stage; that is, before the exanthem is in evidence.

3. Mode of transmission.—Directly from person to person; indirectly through

articles freshly soiled by discharges from an infected individual.

4. Incubation period.—Two to three weeks; average 14 days.

5. Period of communicability.—Until the primary scabs have disappeared

from the mucous membranes and the skin.

6. Methods of control.—(a) The chief public-health importance of this disease is that cases thought to be chicken pox in persons over 15 years of age, or at any age during an epidemic of smallpox, are to be investigated to eliminate the possibility of their being smallpox.

(b) Isolation: Exclusion of patient from school, and the prevention of contact with nonimmune persons for a period of 12 days after appearance of

eruption or until the crusts have fallen off.

(c) Contacts: Adult members of the family or household, unless forbidden by the health officer, may continue their usual vocations, provided such vocations do not bring them in close contact with children. Children who give evidence satisfactory to the health officer of having had chicken pox may be allowed to enter and leave the premises and attend school with the written consent of the health officer.

(d) Immunization: None.

(e) Concurrent disinfection of articles soiled by discharges from lesions. (f) Terminal disinfection: Thorough cleaning by scrubbing and washing, with hot water and soap, of material on which and in which bacteria may find favorable conditions for prolonging life and virulence.

MUMPS

The minimum period of isolation within the meaning of this regulation shall be until the disappearance of the swelling and for at least three weeks after date of onset.

1. Infectious organism.—Unknown.

2. Source of infection.—Secretions of the mouth and nose.

3. Mode of transmission.—By direct contact with an infected person or with articles freshly soiled with the discharge from the nose or throat of such infected persons.

4. Period of incubation.—From 12 to 26 days. In cases of unilateral mumps it is not unusual to see the other gland become involved 21 days after the

primary onset.

5. Period of communicability.—Generally assumed to be communicable until

the gland has returned to normal size.

6. Methods of control.—(a) Isolation of the patient from nonimmune children and exclusion of the patient from school and public places until the swelling of the gland has disappeared or until at least 21 days after onset.

(b) Quarantine: None. Exposed susceptible persons should be regularly inspected for the onset, the presence of initial symptoms of the disease, such as fever, or swelling or pain of parotid or adjacent lymph glands, for three weeks from the date of last exposure.

(c) Concurrent disinfection of all articles soiled with the discharges from

the nose and throat of the patient.

MEASLES

The minimum period of isolation within the meaning of this regulation shall be until nine days after the appearance of the rash and until all discharges from the nose, ears, and throat have disappeared and the cough has ceased.

1. Infectious agent.—Unknown.

2. Source of infection.—Buccal and nasal secretions of an infected individual.

3. Mode of transmission .- Directly from person to person, indirectly through articles freshly soiled with the buccal and nasal discharges of an infected individual. The most easily transmitted of all communicable diseases.

4. Incubation period.—Average 10 days.

5. Period of communicability.-During the period of catarrhal symptoms and until cessation of abnormal mucous membrane secretions-minimum period of nine days; from four days before and to five days after the appearance of the rash. 6. Methods of control.-(a) Isolation: During period of communicability as

defined under 5.

(b) Immunization: By the use of serum or whole blood of convalescent measles patients, or any healthy adults who have had measles, given within five days after exposure to a known case of measles, the attack in the exposed person may be averted in a high percentage of instances; if not averted, the disease is modified. Given later, but at a time prior to the clinical onset of the disease, convalescent serum usually modifies the severity of the attack and the patient acquires the usual lasting immunity of the disease.

(c) Quarantine: Exclusion of exposed susceptible school children and teachers from school until 14 days from last exposure. This applies to exposure in the household. Exclusion of exposed susceptible children from all public gath-

erings for 14 days.

(d) Concurrent disinfection of all articles soiled with the secretions of the

nose and throat.

General measures.—Daily examination of exposed children and of other possibly exposed persons. A nonimmune exposed individual exhibiting a rise of temperature should be promptly isolated pending a diagnosis.

Schools should not be closed or classes discontinued when daily observation

of the children by a physician or nurse is provided for.

Education as to special danger of exposing young children to those exhibiting

acute catarrhal symptoms of any kind.

In institutional outbreaks immunization with convalescent serum of all minor inmates who have not had measles is of value in checking the spread of infection and in reducing mortality.

GERMAN MEASLES (RUBELLA)

The minimum period of isolation within the meaning of this regulation shall be for a period of seven days after the appearance of the rash and until all discharges from the nose, ears, and throat have disappeared and the cough has ceased.

1. Infectious agent.-Unknown.

2. Source of infection.—Secretions from the mouth and nose of patients.

3. Mode of transmission.—By direct contact with patient or with articles freshly soiled with the discharges from the nose or throat of patient.

4. Incubation period.—From 14 to 21 days.
5. Period of communicability.—Eight days from onset of disease.

6. Methods of control.—(a) Isolation: Separation of the patient from nonimmune children and the exclusion of the patient from school and public places until clinical recovery and the mucous membranes have returned to normal.

(b) Immunization: None.

(c) Concurrent disinfection: Discharges from the nose and throat of patient and articles soiled by discharges immediately after the discharge of infectious material from the body of an infected person or after the soiling of articles with such infectious discharges.

WHOOPING COUGH

The minimum period of isolation within the meaning of this regulation shall be until three weeks after the development of the paroxysmal cough.

 Infectious agent.—Pertussis bacillus of Bordet and Gengou.
 Source of infection.—Discharges from the laryngeal and bronchial mucous membranes of infected persons.

3. Modes of transmission-Contact with an infected person or with articles freshly soiled with the discharges of such a person.

4. Incubation period.—Commonly 7 days, almost uniformly within 10 days. 5. Period of communicability.—Particularly communicable in the early catarrhal stages before the characteristic whoop makes a clinical diagnosis possible.

The catarrhal stage occupies from 7 to 14 days. After the characteristic whoop has appeared the communicable period continues certainly for three weeks. Even if the spasmodic cough with the whoop persists longer than this it is most unlikely that the infecting organisms can be isolated from the discharges. The communicable stage must be considered to extend from seven days after exposure to an infected individual to three weeks after the development of the characteristic whoop.

6. Methods of control.—(a) Recognition of the disease: By clinical symptoms. supported by a differential leucocyte count and bacteriological examination of bronchial secretions.

(b) Isolation: Separation of the patient from susceptible children, and exclusion of the patient from school and public places for three weeks after the development of the characteristic whoop.

(c) Immunization: Use of prophylactic vaccination is recommended by some

but is not effective in all cases.

(d) Quarantine: Limited to the exclusion of nonimmune children from school and public gatherings for 10 days after their last exposure to a recognized case.

(e) Concurrent disinfection of all discharges from the nose and throat of the

patient and articles soiled with such discharges.

General measures.—Education in habits of personal cleanliness and in the danger of association or contact with those showing catarrhal symptoms with cough.

EPIDEMIC CEREBROSPINAL MENINGITIS

The minimum period of isolation within the meaning of this regulation shall be for two weeks after the onset.

1. Infective agent.—Meningococcus.

- 2. Source of infection.—Discharges from the nose and mouth of infected persons. Clinically recovered cases, and healthy persons who have never had the disease but who have been in contact with cases or other carriers, act as carriers and are commonly found, especially during epidemics. Such healthy carriers are not uncommonly found independent of epidemic prevalence of the disease.
- 3. Modes of transmission.—By direct contact with infected persons and carriers, and indirectly by contact with articles freshly soiled with the nasal and mouth discharges of such persons.

4. Incubation.—Two to 10 days; commonly, 7.

5. Period of communicability.—During the clinical course of the disease and until the specific organism is no longer present in the nasal and mouth discharges of the patient. The same applies to healthy carriers so far as affects persistence of infectious discharges.

6. Methods of control.—(a) Isolation of infected persons until 14 days after

onset of disease.

(b) Quarantine: None.

(c) Concurrent disinfection of discharges from the nose and mouth and of articles soiled therewith.

General measures.—Search for carriers among fam'lles and associates of recognized cases by bacteriological examination of posterior nares of all contacts.

Education as to personal cleanliness and the necessity of avoiding contact and dreplet infection.

Prevention of overcrowding such as is common in living quarters, transporta-

tion conveyances, working places, and places of public assembly.

Epidemic measures.—Increase the separation of individuals and the ventilation in living and sleeping quarters for such groups of people as are especially exposed to infection because of their occupations or some necessity of living conditions.

Carriers should be quarantined until the nasal and pharyngeal secretions are proved by bacteriological examination to be free from the infecting organism.

TRACHOMA

The minimum period of isolation within the meaning of this regulation shall be until all purulent discharges from the conjunctive have ceased.

1. Infectious organism.—It is not yet proven that trachoma is due to one

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specific organism.

2. Source of infection.—Secretions and purulent discharges from the conjunctive and adnexed mucous membranes of the infected persons.

3. Mode of transmission.—By direct contact with infected persons and indirectly by contact with articles freshly soiled with the infective discharges of such persons.

4. Incubation period.—Undetermined.

5. Period of communicability.—During the persistence of lesions of the conjunctive and of the adnexed mucous membranes or discharges from such lesions.

6. Methods of control.—(a) Isolation of the patient from general school classes, during period of purulent discharges from the conjunctivæ.

(b) Concurrent disinfection of discharges and articles soiled therewith.

General measures.—1. Search for cases by examination of school children and immigrants and among the families and associates of recognized cases; search for acute secreting disease of conjunctive and adnexed mucous membranes, both among school children and in their families and the treatment of such cases until cured.

2. Follow-up work by nurses among cases which are under treatment and

among recovered cases.

3. Elimination of common towels and toilet articles from public places.

 Education in the principle of personal cleanliness and the necessity of avoiding direct or indirect transference of body discharges.

Hospitals, Homes, Camps, etc., for Care of Tuberculosis Cases—Permit—Requirements Governing. (Reg. Bd. of Public H., November 12, 1927)

No person, association, or corporation shall maintain or conduct in this State a private tuberculosis sanatorium, nursing home, rest home, or camp for the care of patients suffering from tuberculosis without first having obtained a permit from the State board of public health.

Definitions.—A sanatorium is a hospital or other building or buildings used for the care and treatment of tuberculous patients where there is either one or more resident or visiting physicians and where the patients are under regular

medical supervision.

A nursing home is a place maintained and operated for the care of tuberculous patients under the supervision and direction of a graduate nurse but where the patients are not under regular medical supervision.

A rest home is a place for the care of tuberculous patients where the patients are not under regular medical supervision and not under the care of a regis-

tered nurse.

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A camp is a seasonal summer or winter resort for the care of tuberculous patients who may or may not be under medical or nursing supervision and where the buildings are of more or less temporary or nonpermanent character.

In addition to the above-defined classes of institutions the following rules apply to any other boarding house or resort whose main business is the board-

ing or housing of tuberculous patients.

The following rules are some of the essential points with which the management of an institution must comply. In addition, the management will be expected to furnish such facilities as may reasonably be construed as providing the necessary requirements to enable tuberculous patients to follow out those measures which are generally accepted and are known as the dietetic-hygienic regimen for the treatment of tuberculosis.

1. Each sanatorium must be equipped with an approved type of incinerator.
2. Unless gas or oil is piped into the incinerator, garbage and sputum boxes

must not be burned together.

3.In any hospital caring for more than six patients there shall be separate toilets and lavatories for men and women patients, and there shall be one bath for every eight patients.

4. Boarding houses and rest homes of the shack type of construction shall join these shacks with board or cement runway so that a lavatory and toilet

can be connected with the buildings.

5. Histories must be kept of all patients. For rest homes that are unable to furnish their own histories the bureau of tuberculosis will furnish the forms.

6. If the patients must be isolated, there should be porches and sun rooms arranged in such a manner that patients can receive the sunshine and fresh air that are necessary for their recovery.

7. All dishes and silverware must be sterilized.

8. In sending out notices and announcements the public must be informed before the patient enters the sanatorium as to just what the advertised rates include.

9. Where no doctor is in regular attendance or where no doctor is easily available, it is suggested that advertising literature state the distance from the institution to the nearest doctor.

Rodents-Extermination. (Ch. 378, Act May 9, 1927)

[This act amends sections 2 and 4 of chapter 204, laws, 1909, to read as follows:]

Sec. 2. The State board of health and inspectors appointed by such board, the board of supervisors of each county and inspectors appointed by such board,

and local health officers and inspectors appointed for the purpose, as hereinafter provided, shall have authority and shall be permitted to enter into and upon any and all lands, places, buildings, structures, wharves, piers, docks, vessels, and water craft, for the purpose of ascertaining whether the same are infested with such rodents and whether the requirements of this act as to the extermination and destruction thereof are being complied with: *Provided, however*, That no building occupied as a dwelling, hotel, or rooming house shall be entered for such purpose except between the hours of 9 o'clock in the fore-

noon and 5 o'clock in the afternoon of any day.

SEC. 4. Whenever any person, firm, copartnership, company, or corporation, owing, leasing, occupying, possessing, or having charge of or dominion over any land, place, building, structure, wharf, pier, dock, vessel, or water craft, which is infested with such rodents, shall fail, neglect, or refuse to proceed and to continue to endeavor to exterminate and destroy such rodents, as herein required, it shall be the duty of the State board of health, its inspectors, the board of supervisors of each county and inspectors appointed by such boards, and the local board of health and health officer, at once to cause such nuisance to be abated by exterminating and destroying such rodents. The expense thereof shall be a charge against the county, city and county, city or town, wherein the work is done, and the board of supervisors or other governing body shall allow and pay the same. Thereupon, the clerk of such board shall file in the office of the county recorder a notice of such payment, claiming a lien on such property for the amount of such payment. Any and all sums so paid by such county, city and county, city or town shall be a lien on the property on which said nuisance shall have been abated, and may be recovered in an action against such property, which action to foreclose such lien shall be brought within 90 days after such payment, and be prosecuted by the district, city, or town attorney, in the name of such county, city and county, city or town, and for its benefit. the property is sold, enough of the proceeds shall be paid into the treasury of such county, city and county, city or town to satisfy such lien and the costs, and the overplus, if any there be, shall be paid to the owner of the property, if known, and if not known shall be paid into the court for the use of such owner when ascertained. When it appears from the complaint in such action that the property on which such lien is to be foreclosed is likely to be removed from the jurisdiction of the court, the court may appoint a receiver to take possession of the property and hold the same while the action may be pending or until the defendant shall execute and file a bond, with sufficient sureties, conditioned for the payment of any judgment that may be recovered against him in the action and all costs.

Mosquito-Abatement Districts—Abatement of Mosquito-Breeding Places. (Ch. 256, Act April 27, 1927)

[This act adds the following section to chapter 584,1 laws, 1915:]

SEC. 6a. All breeding places for mosquitoes which exist or shall exist as the result of any use made of the land or premises on which the same are found or of any artificial change in the natural condition thereof are hereby expressly declared to be a public nuisance, and may be prosecuted as such in all actions and proceedings whatever and all remedies which are or may be given by law for the prevention and abatement of nuisance shall apply thereto, and it shall be unlawful to maintain the same. The remedies hereinabove provided shall be in addition to the remedy by way of abatement hereinafter provided.

Whenever any such nuisance shall exist upon any property within any mosquito-abatement district, the board of trustees thereof may in writing notify the record owner or owners, or person or persons in charge or in possession of said property, of the existence of said nuisance; and said notice shall direct said owner within a certain time to be therein specified to rectify and abate the nuisance complained of in the notice by destroying the larvæ or pupæ which are present. Said notice shall further direct said owner within a period to be specified therein to perform such work as may be necessary to prevent the

recurrence of breeding in the places complained of.

Said notice may be served upon the person or persons or either of them owning as of record or having charge or possession of such property upon which such nuisance shall be found, or upon the agents of either, by any person deputed by said board of trustees for that purpose, in the same manner as a summons in a civil action: *Provided*, however, That if any such property belong

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¹ Reprint 338 from Public Health Reports, p. 88.

to any person who is not a resident of the district and there is no person in charge or possession thereof, and there is no tenant or agent of such nonresident person upon whom service can be had, who can after diligent search be found; or if the owner or owners of such property can not after due diligence be found, then such notice may be served by posting a copy of the same in a conspicuous place upon such property or premises for a period of 10 days, and by mailing a copy thereof to the said owner addressed to his address given on the last completed assessment roll of the county or city and county in which said property is situate, or if no address be so given, then to his last known address.

Before complying with the requirements of said notice the said owner or owners shall have the right to appear at a hearing before the said board of trustees to be held at a time and place fixed by the board and to be stated in the notice hereinabove provided for. At such hearing said board of trustees shall redetermine whether or not said owner shall rectify and abate the nuisance complained of and prevent the recurrence thereof as required by said notice, and said board shall refix the time within which such work shall be completed.

In the event that any such nuisance shall not have been rectified and abated within the time specified in said notice or fixed at such hearing, it shall be the duty of said board of trustees to proceed to remove and abate said nuisance by destroying the larvæ or pupæ and by taking appropriate measures to prevent the recurrence of further breeding in the places complained of. The cost thereof shall be repaid to the said mosquito-abatement district by the owner of said

property or premises.

Any and all sums so expended by said board of trustees shall be and become a lien upon the property and premises from which said nuisance has been removed or abated or other appropriate measures taken. Notice of such lien shall be filed and recorded in the office of the county recorder of the county in which said property is situated within six months after the first item of expenditure. An action to foreclose such lien shall be commenced within six months after the filing and recording of said notice of lien, which action shall be brought by the said board of trustees in the name of the district: Provided, however, That the lien provisions of this act shall not apply to the property of any county, city and county, municipality, district, or other public corporation, but it shall be the duty of the governing body thereof to repay to said mosquito-abatement district the amount expended by it upon such property under the provision of this act upon presentation by said board of trustees of a verified claim or bill showing the amount of such expenditures.

When the property is sold, enough of the proceeds to satisfy such lien and the costs of foreclosure shall be paid to said mosquito-abatement district; and the overplus, if any there be, shall be paid to the owner of the property if known, and if not known shall be paid into the court for the use of such owner

when ascertained.

State Department of Public Health—Creation, Organization, Powers, and Duties. State Board of Public Health—Appointment and Powers. State Director of Public Health—Appointment, Compensation, Powers, and Duties. (Ch. 276, Act April 29, 1927)

SECTION 1. The Political Code is hereby amended by adding a new article to Chapter III of Title I of Part III thereof, to be numbered Article IIi, embracing sections 372 to 372g, and to read as follows:

ARTICLE IIi

DEPARTMENT OF HEALTH

Sec. 372. A department of the government of the State of California to be known as the department of public health is hereby created. The department shall be under the control of a State board of public health, which board is hereby created, to be composed of seven members, consisting of the director of public health, appointed and holding office as hereinafter prescribed, and six members; each appointed by the governor for the term of four years. The director and each of the other members of the board shall be duly licensed and practicing physicians of this State. Each of the members, other than the director of public health, shall receive his actual necessary traveling expenses incurred in the discharge of his duties. The director of public health shall be executive officer of the board.

SEC. 372a. The office of director of public health is hereby created. The director shall be appointed by and hold office at the pleasure of the governor, and shall receive a salary of \$6,000 per annum and necessary expenses incurred in the performance of his duties. Before entering upon the duties of his office, the director shall execute an official bond to the State of California in the penal sum of \$10,000, conditioned upon the faithful performance of his duties. director shall enforce all orders and regulations of the State board of health and shall vigilantly observe sanitary conditions throughout the State and take all necessary precautions to protect it in its sanitary relations with other States and countries. He shall keep or cause to be kept an accurate record of the proceedings of the State board of health and of his own acts and shall file a written report of the same at each regular meeting of the board.

For the purpose of administration, the department shall be forthwith organized by the State board of public health with the approval of the governor in such manner as it shall deem necessary to properly segregate and conduct the work of the department. Subject to the approval of the governor, the State board of public health may create such divisions and subdivisions as may be necessary and may consolidate, divide, or abolish the same from time to time. The director of public health, subject to the approval of the board, and except as otherwise provided by law, shall have power to appoint such assistants, deputies, agents, experts, and other employees as may be necessary for the administration of the affairs of the department of public health, to prescribe their duties and fix their salaries in accordance with classifications made by the civil service commission, and to require such appointees to execute to the State such official bonds as the said board of public health may determine and require, unless otherwise expressly provided by law: Provided, however, That neither the State board of health nor the director shall have authority on the part of the State to incur obligations for salaries exceeding the amount of moneys made available by law for that purpose.

SEC, 372b. The term "secretary of the State board of health" shall be construed to mean and refer to the director of public health, and whenever by the provisions of any statute or law now in force or that may be hereafter enacted a duty is imposed or authority conferred upon the secretary of the State board of health, such duty and authority are hereby transferred to, imposed and conferred upon the director of public health with the same force and effect as though the title of said director of public health had been specifically set forth and named therein in lieu of the name of said secretary of the State board of

Sec. 372c. Except as otherwise in this article prescribed, the provisions of Article II of this chapter and title and part of the Political Code as the same now exists and as the same may be amended from time to time shall govern and apply to the conduct of the department of public health in every respect the

same as if such provisions were herein set forth at length.

SEC. 372d. The State board of health heretofore established by law and each of the bureaus, offices, departments, divisions, and subdivisions and the positions of all deputies, officers, and employees thereunder are hereby abolished and shall have no further legal existence, but the statutes and laws under which they existed and all laws prescribing their duties, powers, purposes, responsibilities, and jurisdiction, with all lawful rules and regulations to be established

thereunder, are hereby expressly continued in force.

SEC. 372e. The department of public health hereby established shall succeed to and is hereby invested with all of the duties, powers, purposes, responsibilities, and jurisdiction of the State board of health heretofore established and each of the bureaus, offices, departments, divisions, and subdivisions of or under said State board of health and of the several officers, deputies, and employees of such bodies and offices; and whenever by the provisions of any statute or law now in force or that may hereafter be enacted a duty is imposed or authority conferred upon any of said bodies, offices, or officers, such duty and authority are hereby imposed and conferred upon the department of public health and the appropriate officers thereof with the same force and effect as though the title of said department of public health had been specifically set forth and named therein in lieu of the name of any such board, bureau, office, department, division, subdivision, or other body, office or officer, as the case may be. The department of public health shall also succeed to and be in control of all records, books, offices, equipment, supplies, moneys, funds, appropriations, land, and other property, real or personal, now or hereafter held for the benefit or use of said bodies, offices, and officers.

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SEC. 372f. From and after the date upon which this act takes effect, the department of public health shall be and is hereby authorized and empowered to expend the moneys in any appropriation or in any special fund in the State treasury now remaining or made available by law for the administration of the provisions of all the statutes, the administration of which is committed to the department or for the use, support, or maintenance of any board, bureau, office, department, division, subdivision, or other body, office or officer whose duties, powers, and functions are by the provisions of this article transferred to and conferred upon the department of public health. Such expenditures by the department shall be made in accordance with law in carrying on the work for which such appropriations were made or such special funds created,

SEC. 372g. The terms of the members of the State board of public health, other than the director, first appointed shall be so classified by the governor that the term of 1 member shall expire 1 year from and after the date upon which this act takes effect, the terms of 2 members in 2 years, the term of 1 member in 3 years, and the terms of 2 members in 4 years. Thereafter, the term of each of such members shall be 4 years. The appointee to a vacancy occurring before the expiration of a term shall hold office only for the unexpired

term of his predecessor.

Municipal and County Public Health Laboratories—Establishment Authorized—Maintenance—Approval by State Board of Health. (Ch. 282, Act April 29, 1927)

Section 1. Any incorporated city, town, county, city and county, or chartered city may, for the purpose of protecting the community against infectious disease, establish a bacteriological and chemical laboratory for the examination of specimens from suspected cases of disease and for the examination of milk, waters, and food products.

SEC. 2. The cost of establishment and maintenance of such laboratories shall be a legal expenditure from any incorporated city, town, county, city and county, or chartered city funds that may be provided for disbursement under the direction of the health officer for the protection of public health.

SEC. 3. All municipal and county laboratories established for the purposes herein set forth shall be subject to the approval of the State board of health.

Municipal and County Public Health Laboratories—Certificate of Approval— Certificate of Proficiency for Skilled Workers in—Contract Laboratory Service. (Reg. Bd. of Public H., November 12, 1927)

Whereas chapter 282, statutes of 1927, requires the State board of public health to supervise the bacteriological laboratories maintained by cities, cities and counties, counties and towns, the following requirements are hereby estab-

lished for the operation of such laboratories:

(1) The certificates of approval heretofore issued to laboratories on a voluntary basis shall be required to be in the possession of all city, city and county, county and town public-health laboratories, and no such laboratory shall continue to operate more than five days following receipt of notice of cancellation of any existing certificate, or of refusal of the board to issue a certificate in the first instance, except on temporary extension granted for cause by the director of public health.

(2) All skilled workers in municipal or county public-health laboratories including bacteriologists, serologists, technicians, or laboratorians shall possess, as the condition for such employment, certificates of proficiency issued by the

State board of public health.

(3) Examinations either written or oral or both for the certificate of proficiency shall be held from time to time in such geographic centers of the State as will best suit the convenience of the majority of the applicants or as may be designated by the director of public health.

(4) Examinations for certificates of proficiency shall be under the supervision of the chief of the bacteriological laboratory, State department of

health.

(5) Two grades of certificates shall be issued, one for bacteriologists and one for serologists. Workers possessing one certificate only shall not be permitted to engage in the activities covered by the other certificate, excepting under the immediate supervision of some one possessing the requisite certificate.

(6) Health officers of municipalities or counties possessing no laboratory, but who desire local laboratory service, may designate a local, private laboratory as the official public-health laboratory of his territory, but any such designation shall be subject to the approval of the State board of public health, and all skilled workers in such laboratories entering such contract shall hold the appropriate certificate or certificates of the State board of public health.

Pure Milk Law. (Ch. 888, Act June 3, 1927)

SECTION 1. This act shall be known as the "Pure milk law of California." SEC. 2. (a) Unless specifically stated otherwise, the term "milk" as used in this act shall be construed to mean the milk of cows as defined in the general dairy law of California, and as distinguished from the milk of goats, sheep, or other animals.

(b) Market milk is milk which is supplied to the consumer in the natural fluid state, or prepared for human consumption without being converted into any other form or product, as distinguished from manufacturing milk. Except as provided in section 3 (c) of this act, market milk shall contain not less than 3.3 per cent of milk fat as a minimum. For the purposes of this act the term "market milk" shall be construed to include "market cream," except where

specifically stated otherwise.

(c) It shall be unlawful for any person, firm, corporation or association to sell or exchange or offer for sale or exchange for human consumption, except in bulk to the wholesale trade, any raw market milk from cows that have not passed a tuberculin test applied annually by a qualified verterinarian in the full-time employ of the Department of Agriculture of the State of California, or a veterinarian acceptable to and designated by said department. If reacting animals are found they must be removed from the herd immediately, by the owner, must thereafter be kept separate and apart from any and all cows whose milk is produced for human consumption in the raw state, and the nonreacting animals remaining in the herd must be again tested in six months by the department. If pasteurized, all portions of such market milk shall be uniformly heated to a temperature of at least 140° F., but not higher than 145° F., and held at such temperature for at least 30 minutes, and immediately thereafter cooled to a temperature of 50° F. or below and so maintained until delivered to the consumer: Provided, That exceptions to this required process for pasteurization may be made upon receipt of a special written permit from the Department of Agriculture of the State of California.

Every pasteurization plant shall be equipped with a sufficient number of self-registering devices to accurately record the temperature to which and the length of time for which the pasteurized product has been heated. Such records shall be kept for two months and shall be available for inspection by any authorized inspector, agent, or other employee of any health department, any approved milk-inspection service, or the Department of Agriculture of the State of California.

Repasturized milk shall not be sold for market milk.

(d) Pasteurized market milk shall be bottled only in the plant where it is pasteurized. Raw market milk and pasteurized market milk shall not be bottled in the same plant; except in those plants where milk is received exclusively from cows that have passed an official tuberculin test as required for raw market milk by the provisions of section 2 (c) of this act; or except in those plants where an official representative of any approved milk-inspection service is maintained during the period of handling, processing, or bottling any such market milk: Provided, however, That the provisions of this paragraph shall not apply to market cream.

(e) When served by any hotel, boarding house, restaurant, saloon, lunch counter, or other place of public entertainment, market milk shall be served in the original bottle, the cap of which shall not be removed, except in the presence of the consumer or patron: Provided, however, That this provision

shall not apply to market cream.

(f) All the provisions of section 2 (e) shall also apply to goat's milk.

It shall be unlawful for any person, firm, corporation, or association, to sell or exchange or offer or expose for sale or exchange for human consumption, as and for cow's milk, any cow's milk to which goat's milk has been added or, as and for goat's milk, any goat's milk to which cow's milk has been added.

(g) The class or grade of all market milk sold, except in bulk to distributors, and the name and address of the producer or distributor (who shall be responsible for the quality of the contents and correct labeling as required by this act) shall at all times appear plainly and in a conspicuous place on, or be securely attached to, every cap, bottle, can, or other container.

Market milk which is not subject to grading and grade designations, shall be labeled with the words "market milk," which label shall also state whether such milk is raw or pasteurized, in capital letters, not less than one-eighth inch in height and one-sixteenth inch in width. Graded market milk shall be labeled with the name of the grade, which label shall also state whether such milk is raw or pasteurized, in capital letters not less than one-eighth inch in

height and one-sixteenth inch in width.

No distinguishing names, pictures, symbols, marks, words, or other representations intended to signify or describe the quality of market milk or cream, except those specified in this act, shall appear on any milk bottle, milk-bottle cap, milk can, or other milk container: Provided, That the use of registered trade-marks or other trade symbols, which do not pertain to the quality of the product in any manner, shall not be deemed to be a violation of the provisions of this act: And provided further, That nothing herein contained shall be construed to prohibit the use of the names of breeds of dairy cattle, breed trade-marks, or other designations adopted by a national or State breed association approved by the Department of Agriculture of the State of California, when such breed names, trade-marks, or designations are placed only on an inner cap, or embossed or engraved in the glass of the bottle; or to pro hibit the use of the expression, "from nonreacting tuberculin tested cows": And provided further, That nothing herein contained shall be construed to prohibit the dating of milk-bottle caps as otherwise provided in section 3 (c) of this act or under the rules of an improved milk-inspection service, or under local ordinances.

It shall be unlawful for any person, firm, corporation, or association selling or handling market milk, except the original bottler thereof, to have in his or its possession, or under his or its control, any milk bottle cap or label, except the caps and/or labels that are affixed to the filled containers at the time of delivery to said seller or handler. It shall be unlawful for any person, firm, corporation, or association, selling or handling market milk to remove any cap or label from any milk container and attach said cap or label to another milk container. It shall be unlawful to sell or offer for sale or have on hand for sale any milk bottle caps which are not packed by the manufacturer in a single

column in unopened, dust-proof tubular packages.

Sec. 3. (a) Where an approved milk-inspection service is maintained as provided in section 4 of this act, market milk shall be graded and designated as follows: "certified milk," "guaranteed milk," "grade A milk," "grade B Market cream if graded shall conform to all of the standards set for market milk of the same grade except that maximum bacterial count for market cream shall be not more than three times as great as that for the corre-

sponding grade of milk.

(b) Certified milk is market milk which conforms to the rules, regulations, methods and standards for the production and distribution of certified milk adopted by the American Association of Medical Milk Commissions and must bear the certification of a milk commission appointed by a county medical association, organized under and approved by the medical society of the State of California, and must otherwise conform to the requirement of the so-called

certified milk act, approved April 25, 1913. (Stats. 1913, p. 83.)

(c) Guaranteed milk is market milk which shall conform to the following requirements as a minimum: If raw, the health of the cows shall be determined by physical examination at least once each month by an official representative of an approved milk-inspection service and by a tuberculin test as required by section 2 (c) of this act. It shall be produced on dairies which score not less than 90 per cent on the dairy farm score card adopted by the Department of Agriculture of the State of California. It shall be bottled on the premises where produced and must be delivered in containers having the pouring lip completely protected from contamination and shall be cooled immediately after being drawn from the cow to 50° F. or less, and so maintained until delivered to the consumer, when it shall contain not more than 15,000 bacteria per milliliter, and not less than 3½ per cent of milk fat. It must be sold to the consumer within 30 hours after production and shall be labeled to indicate the date of sale to the consumer. All persons who come in contact with the raw guaranteed milk must exercise scrupulous cleanliness and must not be afflicted with any communicable disease or in a condition to disseminate the germs of typhoid fever, tuberculosis, diphtheria, or other communicable disease liable to be conveyed by the milk. The absence of such germs in all such persons shall be determined by bacteriological and physical examination

by a health department maintaining an approved milk-inspection service, or other person or laboratory approved in writing by the Department of Agriculture of the State of California, conducted at the time of employment and every six months thereafter in a manner approved by the said department of agriculture.

If pasteurized, guaranteed milk shall conform with all the provisions for raw guaranteed milk, except with respect to bottling at the ranch where produced, and except it shall contain not more than 3,000 bacteria per milliliter at the time of delivery to the consumer.

(d) Grade A milk is market milk which shall conform to the following

requirements as a minimum:

If raw, the health of the cows shall be determined by physical examination at least once in two months by an official representative of an approved milkinspection service and by a tuberculin test as required by section 2 (c) of this It shall be produced on dairies that score not less than 80 per cent on the dairy farm score card adopted by the Department of Agriculture of the State of California: Provided, however, That dairies where no two cows freshen within four consecutive months and which are found by any milk-inspection service to comply fully with the remaining provisions of this act are hereby exempted from such scoring requirements and from the use of labels prescribed in section 2 (g) hereof. It shall contain not more than 50,000 bacteria per milliliter at the time of delivery to the consumer. All persons who come in contact with raw grade A milk must exercise scrupulous cleanliness and must not be afflicted with any communicable disease or in a condition to disseminate the germs of typhoid fever, tuberculosis, diphtheria, or other communicable diseases liable to be conveyed by milk. Absence of such germs may be determined by bacteriological and physical examination, to the satisfaction of an approved milk-inspection service.

If pasteurized, the health of the cows shall be determined by physical examination at least once in six months, by an official representative of an approved milk-inspection service. It shall be produced on dairies that score not less than 70 per cent on the dairy farm score card adopted by the Department of Agriculture of the State of California. It shall contain not more than 150,000 bacteria per milliliter before pasteurization and not more than 15,000 bacteria per milliliter at the time of delivery to the consumer.

(f) Grade B milk is market milk which shall conform to the following

requirements as a minimum:

The health of the cows shall be determined by physical examination at least once in six months by an official representative of an approved milk-inspection service. It shall be produced on dairies that score not less than 60 per cent on the dairy farm score card adopted by the Department of Agriculture of the State of California. It shall always be pasteurized and shall contain not more than 1,000,000 bacteria per milliliter before pasteurization and not more than 50,000 bacteria per milliliter at the time of delivery to the consumer. Grade B milk shall be sold only in cans to the wholesale trade to be used for cooking and baking purposes: Provided, however, That this latter provision

shall not apply to grade B cream.

SEC. 4. (a) Counties or groups of counties, cities or groups of cities, or groups of cities and counties, are hereby authorized to maintain in connection with their respective health departments a milk-inspection service and laboratory, conformable to the provisions of this act and the rules and regulations promulgated by the director of agriculture of the State of California for the enforcement of this act as provided in section 4 (d). Such counties, cities, or cities and counties may contract one with the other for the maintenance by one of them of such milk-inspection service and laboratory within the limits of the other and pay a pro rata of the cost thereof from license fees collected for that purpose or from other moneys available for such purposes. It shall be lawful for any county, city, or city and county to levy and collect a license tax from those who come under the provisions of this act and to pay the same or provide that the same be paid directly to any other county, city, or city and county performing the inspection service under the act as authorized herein. Upon approval in writing of such milk-inspection service by the Department of Agriculture of the State of California, any such milk-inspection service is authorized to grade market milk as produced or sold under its jurisdiction and to require the use of the respective grade designations as prescribed in section

(b) Any persons, firm, corporation, or association, or any group of persons, firms, corporations, or associations engaged in the sale or distribution of market

milk where an approved milk-inspection service, in connection with a local health department, is not maintained may make application in writing to the Department of Agriculture of the State of California requesting the establishment of an approved milk-inspection service, authorized to grade the market milk sold or distributed by them in conformity with all of the provisions of this act and the rules and regulations for its enforcement, and to require the use of respective grade designations prescribed in section 3 of this act. Upon receipt of such application by the Department of Agriculture of the State of California the director of agriculture of the State of California through his duly authorized agents shall cause an investigation pertaining to the merits of such application to be made. If, from the results of such investigation, it shall appear necessary and desirable that such approved milk-inspection service be established, the applicant or applicants shall be provided with a form of contract whereby said applicant or applicants shall agree to accept and to comply with the provisions of this act and the rules and regulations for its enforcements, and to pay a fee sufficient to defray the salaries and other expenses in connection with the maintenance of an approved milk-inspection service, which amount is to be designated by the director of agriculture, and which shall be payable three months in advance during the first week of January, April, July, and October of each year. When such agreement shall be signed by the applicant or applicants it shall be validated by the signature of the director of agriculture, who shall at the same time issue a proclamation establishing a milk-inspection service and granting the privileges requested in the application as hereinabove set forth.

(c) It shall be the duty of the Department of Agriculture of the State of California, either directly or indirectly through its authorized agents or those of an approved local milk service, to inspect dairies and milk plants, to examine and test cows, to exclude reacting animals from the herds, to mark by branding on the jaw with the capital letter "T" 3 inches in height and 2 inches in width any cattle which under the provisions of this act have been tested with tuberculin and found to react to the test, to conduct and/or supervise milk scoring or other contests when deemed advisable, and to enforce all the other provisions of this act.

(d) The director of agriculture of the State of California is hereby authorized to approve local milk-inspection services and to make such rules and regulations as may be necessary from time to time to enforce any provision of

this act.

(e) Any milk delivered by the producer thereof, to be sold as any grade of market milk, defined in section 3 of this act, shall not be degraded or excluded from the market when a score of the dairy on which said milk is produced is below the specified minimum legal requirement unless a copy of said score shall be promptly given to the proprietor or operator of the dairy and the purchaser of the milk produced by said dairy, and until after a period of 60 hours subsequent to a rescore, made after a period of 10 days following the previous scoring, shows the score of said dairy to be again below the specified minimum legal requirement, and a copy of such rescore promptly given to the proprietor or operator of said dairy and the purchaser of the milk produced by said dairy. If, during the said 60-hour period following this said rescoring, a protest is filed with the head of the milk-inspection service under whose jurisdiction the milk of such dairy is sold, the milk produced on said dairy shall not be degraded or excluded from the market until after a third score has been made by the said duly authorized representative of said milk-inspection service jointly with a duly authorized representative of the Department of Agriculture of the State of California who shall concur in said rescore.

(f) It shall be the duty of the district attorney of each and every county of this State, upon application of the said Department of Agriculture of the State of California or the authorized representatives of any milk-inspection service in his county to attend to the prosecution in the name of the people of any action brought for the violation of any of the provisions of this act within his county.

Sec. 5. (a) It shall be unlawful for any person, firm, corporation, or association, to sell or exchange any milk as and for or under the designation, label, or other representation of guaranteed, grade A or grade B milk, except under the supervision of a milk-inspection service approved by the Department of Agriculture of the State of California: Provided, That a person, firm, corporation, or association, which is authorized to sell market milk within the jurisdiction of a milk-inspection service may sell market milk from the same supply, of the same ouality, in similar containers, and under the same label in territory outside the jurisdiction of any milk-inspection service, if local ordinances are not thereby

violated, and also in territory within the jurisdiction of any other milk-inspection service, if the consent of said other milk-inspection service has been previously obtained. It shall be unlawful for any person, firm, corporation, or association to sell or exchange, or offer or expose for sale or exchange, in any city, county, or city and county, or any combination of cities and counties in which a milk-inspection service, approved by the Department of Agriculture of the State of California has been established any market milk other than graded milk as provided in this act. For the purpose of this act the term "approved milk-inspection service" shall be construed to mean a milk-inspection service maintained in connection with a county or city, or group or combination of counties and cities, which inspection service shall be approved in writing by the Department of Agriculture of the State of California as provided in section 4 (a) and section 4 (b) of this act; or a milk-inspection service established by proclamation of the director of agriculture as privided in section 4 (b) of this act.

(b) Any person, firm, corporation, or association, who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punishable by a fine of not less than \$25 nor more than \$500, or by imprisonment in the county jail for not more than 90 days, or by both such

fine and such imprisonment.

SEC. 6. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Sec. 7. An act 2 known as the "Pure milk law of California," approved June

15, 1923, as amended, and all acts and parts of acts inconsistent with the

provisions of this act are hereby repealed.

Dairy Products-Definitions and Standards-Production, Manufacture, Sale, Labeling, Transportation, and Pasteurization—Factory License—Cleanliness and Use of Containers—Powers and Duties of Director of Agriculture. Creameries, etc.—When Deemed Insanitary—Score Cards for Official Scoring of. (Ch. 817, Act May 28, 1927)

[Sections 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, and 12 of this act amend, respectively, sections 7, 8, 9, 10, 11, 14 (as amended by ch. 415, laws, 1925), 15, 16 (as amended by ch. 415, laws, 1925), 18, 19, and 21 (as amended by ch. 415, laws, 1925), 18, 19, and 1925), 18, 19, and 1925, 192

1925) of chapter 392,4 laws, 1923, to read as follows:

SEC. 7. (a) Cheese is the sound, solid, or semisolid product made from milk, skim milk, or cream by coagulating the casein thereof with rennet, pepsin, lactic acid, or such other coagulating agents as may be approved in writing by the Department of Agriculture of the State of California, with or without the addition of ripening ferments and seasoning, and with or without salt (sodium chloride), and with or without harmless coloring matter. Milk to be made into cheese shall conform to the following requirements as a minimum: It shall be unadulterated, fresh, clean, free from foreign substances detrimental to its quality or to the quality of the products prepared therefrom, and shall have been obtained from the udder by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 5 days after or

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15 days prior to parturition.

(b) All cheese sold, offered for sale, exposed for sale, or on hand for sale must be labeled to indicate the variety and the grade, whether whole milk, part skim, or skim, and, if made in California, it must be labeled at the factory with the manufacturer's factory number, assigned annually by the Department of Agriculture of the State of California under the rules and regulations provided in section 21 of this act. If made outside of the State of California, it must be labeled with the name of the manufacturer or distributor. Whole milk cheese must contain not less than 50 per cent of pure milk fat in its waterfree substance. Part skim cheese must contain not less than 30 per cent of pure milk fat in its water-free substance. Skim cheese is cheese that contains less than 30 per cent of pure milk fat in its water-free substance. It shall be unlawful for any person, firm, corporation, or association by themselves, or their agents or employees, to sell, exchange, or deliver, or to offer for sale, exchange,

Supplement 49 to Public Health Reports, p. 51.
 Supplement 59 to Public Health Reports, p. 29.
 Supplement 49 to Public Health Reports, p. 56.

or delivery, or to cause or permit to be sold, exchanged, or delivered, or advertised for sale any part skim cheese or skim cheese, except cottage cheese, unless the same be offered for sale and sold as part skim cheese or skim cheese; and it shall be unlawful for any person, firm, corporation, or association to expose any such cheese for sale, unless there shall be attached to the outside of every vessel, can, package, or piece from or in which such cheese is exposed, sold, or held for exchange or delivery, a tag upon which shall be legibly and distinctively printed in black letters at least 1 inch in height the words "part skim cheese" or "skim cheese," as the case may be.

(c) Established varieties of cheese are those for which definitions and standards appear in law. All other varieties shall be known as special varieties, and may be made under written permit from the Department of Agriculture of the State of California. The standards of composition and labeling requirements shall be those promulgated by the director of agriculture of the State of California and designated in the special permit issued for their manufacture: Provided, however, That no special variety of cheese shall be made in shape, form, or size similar to any cheese defined by law in paragraph (d) of this

section.

(d) Definitions of established varieties: (1) Cheddar cheese is cheese made by the so-called cheddar process which consists in part of subjecting the curd to a matting and milling process and molding into characteristic forms with a plain white bandage in hoops under pressure, and containing not more than 38 per cent of moisture. (2) Granular cheese is cheese made by the so-called stirred curd or granular process and molded into characteristic forms with a red bandage in hoops under pressure, similar to those of the cheddar variety, and containing not more than 38 per cent of moisture. (3) Monterey cheese is cheese made by the so-called stirred curd or granular process, without added color, characteristic in size and molded into characteristic shape or form in bags under pressure and containing not more than 42 per cent of moisture. (4) Cream cheese is an unripened cheese made by the Neufchatel process or variations thereof, from cream, milk, or skim milk enriched with cream or butter fat sufficient so that the resultant cheese shall contain in its water-free substance not less than 65 per cent of pure milk fat. All manufacturers of cheese who manufacture cream cheese from butter shall first secure from the Department of Agriculture of the State of California a permit to do so. Said permit shall be issued subject to the rules and regulations made and promulgated by the director of agriculture and may be revoked for violation thereof after due hearing by the Department of Agriculture of the State of California. (5) Cottage cheese shall be made from pure milk or skim milk which has been pasteurized by the system described for market milk or by the system described for manufacturing milk or cream as provided for in section 15 of this act, with or without harmless coloring matter, and sold fresh without molding into forms. (6) Creamed cottage cheese is cottage cheese to which a sufficient quantity of pure, fresh, pastuerized sweet cream is added so that the finished product contains not less than 4 per cent of pure milk fat.

SEC. 8. (a) Ice cream is a frozen product made with pure, sweet milk, cream, skim milk, evaporated or condensed milk, evaporated or condensed skim milk, dry milk, dry skim milk, pure milk fat, or wholesome sweet butter made from sweet cream, or any combination of any such products, with or without sweetening, clean wholesome eggs or egg products, and with or without the use of harmless flavoring and coloring, and containing not less than 10 per cent of milk fat nor more than six-tenths of 1 per cent of pure and harmless edible stabilizer, approved by the Department of Agriculture of the State of California. Ice cream, when sold by the manufacturer, shall not contain in excess of 150,000 bacteria per gram. Ice cream shall otherwise conform to the composition and weight requirements which shall be specified in regulations promulgated by the director of agriculture, in accordance with the provisions of section 21(a) of this act. All manufacturers of ice cream who use butter, eggs, or egg products in the manufacture of ice cream shall first secure from the Department of Agriculture of the State of California a permit to do so. Said permit shall be issued subject to the rules and regulations made and promulgated by the director of agriculture, and may be revoked for violation thereof, after due

hearing.

(b) Fruit ice cream is ice cream which contains not less than 8 per cent of milk fat and not less than 3 per cent by weight of clean, mature, sound fruit or the juice thereof, with or without the use of harmless flavoring and coloring and containing not more than six-tenths of 1 per cent of pure, harmless edible stabilizer, approved by the Department of Agriculture.

 \cdot (c) Nut ice cream is ice cream which contains not less than 8 per cent of milk fat and not less than 1 per cent by weight of sound, nonrancid nut meats, with or without the use of harmless flavoring and coloring, and containing not more than six-tenths of 1 per cent of pure, harmless, edible stabilizer, approved

by the Department of Agriculture of the State of California.

(d) French ice cream, French custard ice cream, cooked ice cream, ice custard, parfaits, and all similar frozen products are varieties of ice cream, which shall contain not less than 10 per cent of milk fat, and not less than 5 dozen of clean, wholesome egg yolks, or 1.5 pounds of wholesome, dry egg yolk containing not to exceed 7 per cent of moisture, or 3 pounds of wholesome, frozen egg yolk containing not to exceed 55 per cent of moisture, or the equivalent of egg yolk in other form, for each 90 pounds of ice cream mix, and which shall otherwise conform to the regulations which may be promulgated by the director of agriculture in accordance with the provisions of section 21 of this act.

(e) Ice milk is a frozen product containing less milk fat than ice cream, or any of the varieties of ice cream defined in this section and made from pure, sweet milk, with or without sweetening, clean wholesome eggs, or egg products, and harmless flavoring, and containing not less than 2.4 per cent of milk fat, and not more than six-tenths of 1 per cent of pure and harmless edible stabilizer, approved by the Department of Agriculture of the State of California, and all other substances which shall be in semblance of ice cream except imitation ice milk or imitation ice cream. All containers of ice milk shall be conspicuously so labeled, and vehicles conveying ice milk, and places where ice milk sold, shall display a conspicuous, legible sign containing the words "Ice milk sold here," in letters not less than 6 inches high. No person shall use the name "ice cream," "cream," "creamy," nor any other word or phrase other than those especially designated by this act, in either labeling or advertising, nor in any other manner, either orally or written, in connection with the advertising, sale, or distribution of ice milk.

SEC. 9. (a) Milk fat or butter fat is the fat of milk and has a Reichert-Meissl number not less than 24 and a specific gravity not less than 0.905 (milk fat at 40° C. compared with water at 40° C.). By Reichert-Meissl number is meant the number of milliliters of decinormal alkali required to neutralize the acidity of the distillate from 5 grams of fat treated in the manner described in the book entitled, "Official and tentative methods of analysis of the association of official agricultural chemists," published by that association in the

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month of July, in the year 1924.

(b) Skim milk is milk from which a part or all of the milk fat has been removed, which contains less than 3 per cent of milk fat and not less than 8.8

per cent of milk solids.

(c) Dried milk is the product resulting from the removal of water from milk, and shall otherwise conform to the definitions, standards, and requirements established by the Secretary of Agriculture of the United States for this product.

(d) Dried skimmed milk is the product resulting from the removal of water from skimmed milk and shall otherwise conform to the standards and requirements established by the Secretary of Agriculture of the United States for

this product.

(e) Buttermilk is that portion of sweet or ripened milk or cream which remains after the separation and complete or partial removal therefrom of milk fat in the process of churning, and when sold for human consumption shall be deemed to be adulterated if any water is added to said buttermilk.

(f) Cultured buttermilk is pasteurized milk or pasteurized skim milk, or a combination thereof, with or without an admixture of buttermilk, which has been treated with special cultures of lactic acid bacteria, so that the product somewhat resembles buttermilk in appearance, composition, and flavor.

(g) Acidophilus milk is milk, skim milk, or a combination thereof, which has been sterilized and afterwards fermented by a pure culture of lactobacillus

acidophilus (Moro).

Before engaging in the business of manufacturing, preparing, selling, distributing, or otherwise dealing in acidophilus milk, every person, firm, corporation, or association, in addition to the usual factory license, shall obtain and hold an acidophilus-milk license from the Department of Agriculture of the State of California. Upon receipt of the application for such a license, said department of agriculture shall investigate the equipment and sanitary condition of the place where such acidophilus milk is to be manufactured or prepared, and provide the applicant with a copy of the laws of the State of Cali-

fornia pertaining thereto. If the condition of the place is found to be satisfactory, a special fee of \$100 shall be paid by the applicant, whereupon the license shall be issued. Said license shall normally expire on the 31st day of December of each year, and shall be revocable for violation of any of the requirements pertaining to acidophilus milk.

(h) Modified milk is milk which has been altered in composition to conform to special nutritional requirements. Modified milk may be sold only upon prescription of a regularly licensed physician.

Before engaging in the business of manufacturing, preparing, selling, distributing, or otherwise dealing in modified milk, every person, firm, corporation, or association, in addition to the usual factory license, shall obtain and hold a modified-milk license from the Department of Agriculture of the State of California. Upon receipt of application for such license, said department of agriculture shall investigate the equipment and sanitary conditions of the place where such modified milk is to be manufactured or prepared, and provide the applicant with a copy of the laws of the State of California pertaining thereto. If the condition of the place is found to be satisfactory, a special fee of \$100 shall be paid by the applicant, whereupon the license shall be issued. Said license shall normally expire on the 31st day of December of each year, and shall be revocable for violation of the requirements pertaining to modified milk.

(i) Milk or skim milk, properly pasteurized, and combined with fruit or fruit juices, chocolate, chocolate sirups, or other harmless sirups, with or without the addition of harmless coloring material, may be used in the manufacture and sale of soft drinks under a trade term: Provided, That such product shall be so colored or contain ingredients that cause it to distinctly differ from milk in

appearance or other characteristics.

SEC. 10. No person, firm, corporation, or association shall produce, manufacture, or prepare for sale, or sell, offer for sale, or have on hand for sale, any milk, cream, or other product of milk to which has been added, or that may contain, any compound of boron, salicylic acid, formaldehyde, or other chemical or substance for the purpose of preventing or delaying fermentation or souring. It shall be unlawful for any person to produce, manufacture, or prepare for sale, or to sell, or to offer for sale, or to have on hand for sale any milk or product of milk to which any coloring matter, except as otherwise provided in this act, has been added by any person or to which any gelatine or other substance, except as otherwise provided in this act, has been added by any person to increase the consistency of such milk, or product of milk, so as to make it appear richer or of better quality. This section shall not be construed to prohibit the use of harmless coloring matter and common salt (chloride of sodium) in butter and cheese, the use of gelatine or other substances named in section 8 of this act in the manufacture of ice cream, or the use of alkalies approved by the Department of Agriculture of the State of California in the manufacture of butter, or the adjustment of the acidity of ice cream mixed within limits designated by said department of agriculture.

SEC, 11. All products defined in this act, when sold, or offered or exposed for sale to the retail trade shall be labeled or billed with the correct name of the product and shall conform to all other requirements for special labeling of the products as provided in this act, or in the rules and regulations for its enforcement. No person, firm, corporation, or association shall use the name of any product defined in this act, either orally, printed, or written, in connection with the sale of any product or substance unless said product or substance shall conform to the definitions and standards prescribed by this act. No person, firm, corporation, or association shall make or cause to be made any statement either oral, written, or printed, nor make or print, or cause to be made or printed, any design, symbol, picture, or illustration in connection with the advertising or sale of any product, article, or compound defined in this act, which statement, design, symbol, picture, or illustration shall be false, decep-

tive, or misleading in any manner.

Sec. 14. (a) Any creamery, factory, or building in which dairy products of any kind are manufactured, or any store, salesroom, or depot, or other place where milk or any product of milk is handled or kept for sale, shall, among other causes so classified by the Department of Agriculture of the State of California, be deemed insanitary within the meaning of this act in the following

(1) If milk or cream is received that has reached an advanced stage of fermentation, or that shows a state of putrefactive fermentation, or contains foreign substances detrimental to the quality of the manufactured product;

(2) If the utensils and apparatus that come in contact with milk or its products are not thoroughly washed and sterilized by means of boiling water or superheated steam or other means equally effective and acceptable to the Department of Agriculture of the State of California after each using, and if the cans or containers in which the milk or cream is received, transported, or delivered are not thoroughly washed, sterilized, and dried after emptying and before being sent out to be used again;

(3) If the floor is so constructed as to permit the flowing of water, milk, or other liquids underneath or among the interstices of such floor, where fermentation and decay can take place, or if such floor can not be readily kept

free from dirt;

(4) If drains are not provided that will convey refuse milk, water, and sewage away to a point at least 50 yards distant from such creamery or factory of dairy products, or if any cesspool, privy vault, hog yard, slaughter house, manure, or any decaying vegetable or animal matter shall be so located as to permit foul odors to reach any such creamery or other factory of dairy products or storeroom or depot where milk or its products are sold or handled; or if the water supply of the plant is subject to pollution with sewage or contamination with pathogenic bacteria unless said water be subjected to efficient chlorination or otherwise treated to make it safe for use in connection with the manufacture of food products;

(5) If such creamery or factory of dairy products does not permit access

of light and air sufficient to secure good ventilation;

(6) If in any building or buildings used in connection with any creamery or factory of dairy products any insects or other species of animal life are permitted, or if upon the floor or walls any milk or its products or any filth is allowed to accumulate or ferment, or decay, or if the bodies or wearing apparel of persons employed, or coming in contact with any milk or its products in any creamery, or factory of any dairy products, are unclean and not washed from time to time with reasonable frequency, or if suitable toilet and lavatory facilities and clean towels are not provided for employees.

(b) The score cards used for the official scoring of factories of dairy products shall be those established by the regulations adopted by the Department of Agriculture of the State of California as provided for in section 21

of this act

Sec. 15. (a) The process of pasteurization, as applied to milk, skim milk, cream, and other milk products is hereby defined to be a process for the elimination therefrom of organisms harmful to human beings, which process shall consist of uniformly heating such milk, skim milk, or cream, as the case may be, to a temperature of not less than 140° F, and of holding the same at a temperature between 140° and 145° F. for a period of not less than 30 minutes nor more than 1½ hours, and immediately thereafter cooling the same to a temperature of not above 50° F.: *Provided*, That when cream is pasteurized to be used and is used in the manufacture of butter, or when milk is pasteurized to be used and is used in the manufacture of cheese, and where the process of ripening or starting in each case is to be commenced immediately, then it shall not be required that such cream or milk be cooled to a lower degree than necessary for such ripening or starting: And provided further, That modification of this method may be practiced when approved in writing by the Department of Agriculture of the State of California after due investigation of the efficiency of such method. Milk or skim milk or cream that is to be used in the manufacture of butter or cheese may be pasteurized by heating above 145° F, and when the same is uniformly heated to and held at a temperature above 151° F, the time for holding may be decreased from 30 minutes by 1 minute for each degree of temperature above If milk is repasteurized, it must not be sold as market milk,

(b) All apparatus used for the pasteurization of milk, skim milk, or cream shall be kept in strictly clean and sanitary condition, and every pasteurizing plant shall be equipped with sufficient recording thermometer devices to accurately record the temperature to which and the length of time for which

the pasteurized product has been heated.

All recording thermometer devices used in the pasteurization of any milk skim milk, or cream must be of a type approved by, and the use thereof must at all times be subject to the approval of, the Department of Agriculture of the State of California. All persons, firms, corporations, or associations using pasteurizing apparatus within the State of California shall date, preserve, and keep on file for a period of not less than two months after the same are made all records made by such thermometer, or in lieu of such preservation

may deliver such records to any public officer authorized by law or ordinance to receive the same, and said records shall, at all times, be open to the inspection of the said department of agriculture, State board of health, and of all other State, county, and municipal officers charged with the enforcement of laws and

ordinances respecting dairy products or the public health.

(c) No person, firm, corporation, or association shall sell, exchange, or offer or expose for sale or exchange, or have in its possession for sale or exchange any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other products of milk as and for pasteurized milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other products of milk, as the case may be, nor use the word, "pasteurized," or any of its derivatives in connection with the sale, designation, advertising, labeling, or billing of any milk, cream, skim milk, ice cream, butter, buttermilk, cheese, or other milk products, unless the same and all products of milk contained therein or used in the manufacture thereof consist exclusively of milk, skim milk, or cream which has been treated by the process of pasteurization as defined and regulated in this section.

Sec. 16. (a) Every person, firm, corporation, or association before regularly engaging in the business of dealing in, receiving, manufacturing, freezing, or processing milk or any product of milk shall obtain a license to do so for each separate plant or place of business from the Department of Agriculture of the State of California: Provided, That nothing in this section shall apply to retailers dealing in finished products received from a distributor or producer in final form. Upon receipt of an application for such license, the said department of agriculture shall investigate the equipment and the sanitary condition of the plant where milk or the products of milk are to be received, processed, frozen, or manufactured, and provide the applicant with a copy of the dairy laws of the State of California. If the condition of the plant is found to be satisfactory, a "factory license" shall be issued by said department of agriculture to such applicant upon receipt of a license fee of \$10, except that every person, firm, corporation, or association engaged in the business of dealing in, receiving, manufacturing, freezing, or processing ice cream, ice milk, and all similar frozen products shall be required to pay annually a minimum factory license fee of \$25 for the manufacture of 50,000 gallons or fraction thereof per year, and for each additional 10,000 gallons or fraction thereof manufactured per year said applicant shall pay an additional license fee of \$1. All factory licenses herein required shall expire at the end of each calendar year: Provided, That such license shall remain in full force and effect during the month of January of the next succeeding year or such part thereof as may be necessary for the renewal of said license by said department of agriculture. All licenses may be renewed each successive year, provided that the plant for which previous license was issued or the business thereof shall have been conducted in accordance with the requirements of this act during the year next preceding that for which renewal is requested. The fee for the renewal of such license (except for ice cream, ice milk, and all similar frozen products, which shall be as hereinbefore provided) shall be \$1 for each 100,000 pounds of milk fat or part thereof, or each 400,000 gallons of milk or part thereof purchased or received during the preceding year, ending the 31st day of December: Provided, In no case shall the renewal fee exceed \$10 except for ice cream, ice milk, and all similar frozen products, which shall be as herein before provided. The correct amount of the fee for the renewal of said license shall be forwarded with said application for its renewal. Any factory license may be suspended or revoked by the said department of agriculture for violation of any of the provisions of this act or for violation of any of the rules and regulations promulgated for its enforcement as provided in section 21 of this act.

Sec. 18. (a) Every person, firm, corporation, or association, not a common carrier who receives from a private or common carrier in cans, bottles, vessels, or other containers any milk, cream, ice cream, or other product of milk intended for human consumption, which has been transported over any railroad, or boat, or freight line, or by other common or private carrier, which said cans, bottles, vessels, or other containers are to be returned to the manufacturer, distributor, consignor, or shipper, shall cause the said empty cans, bottles, vessels, or other containers to be thoroughly cleansed and sterilized by boiling water or superheated steam before return shipment of the same, and every private or common carrier before accepting such cans or containers to be returned to the manufacturer or distributor shall require that each container

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be plainly marked with the name and address of the person returning same. All milk bottles, cans, or containers of any kind in which milk or any product of milk is kept, stored, transported, or delivered shall be sound, smooth, free from rust or open seams, and at all times kept in a condition which will permit thorough cleansing of all surfaces with which the milk or its products come in contact. Bottles, cans, tubs, cabinets, containers, or other receptacles commonly used for the reception, storage, or delivery of milk, cream, ice cream, or other products of milk shall not be used as a receptacle for, or storage place of, any vegetables, fish, fowls, meats, other foodstuffs, or refuse matter, bottles, or filthy or offensive substance, or for any other purpose than that for which they were originally intended. All empty cans, bottles, vessels, or other containers delivered to the producer by the manufacturer, retailer, or distributor for the reception of milk or any product of milk shall be kept by said producer in a clean, sanitary, sterile condition and shall be used for no other purpose whatsoever. All empty cans, bottles, vessels, or other containers delivered to the consumer by retailer or distributor shall be thoroughly cleansed before returning the same to the retailer or distributor.

Sec. 19. (a) All wagons, vehicles, or carts from which market milk, cream, butter, ice cream, buttermilk, or ice milk are [sic] regularly sold, marketed, delivered, or peddled shall have the name and address of the owner plainly lettered thereon in letters at least three inches high and one and a half inches wide, on both sides of such vehicle. All carriers of milk, cream, or other products of milk, whether producer, gratuitous private carrier, other than the producer, private carrier for hire, or common carrier, in transporting milk and cream shall maintain all cars, motor trucks, other vehicles or boats in a clean

and sanitary condition.

(b) All vehicles, boats, or other conveyances, while transporting milk or cream or clean empty containers intended for milk or cream, and all shipping platforms or premises where such containers are held awaiting shipment, shall either be inclosed or provided with canvas covering or otherwise afforded protection from the direct rays of the sun, from warm air, from dust, mud, rain, and other sources of contamination when in the judgment of an authorized representative of the Department of Agriculture of the State of California it is necessary. No milk or cream or other product of milk shall be transported in connection with or close to any other commodity from which it may absorb foreign flavors or which may contaminate it, and no milk or cream or empty containers used for milk or cream shall be hauled in any vehicle used for hauling manure or garbage, or in any other unclean vehicle, car, or boat. milk or cream cans or other shipping containers for products of milk shall be handled carefully, and while containing milk, cream, or other products of milk shall be kept right end up; provided nothing herein shall be construed to derogate from any powers or authority of the Railroad Commission of the State of California.

(c) No carrier of milk, cream, or other product of milk, whether gratuitous private carrier, private carrier for hire, or common carrier, shall receive or transport any milk or cream or product of milk after notification by an authorized representative of the Department of Agriculture of the State of California that such product is unclean, polluted, tainted, unwholesome, stale, impure, or adulterated, or has been produced in violation of the provisions of this act.

SEC. 21. (a) It shall be the duty of the Department of Agriculture of the State of California to enforce the provisions of this act and the director of agriculture shall promulgate such rules and regulations as are incidental to the enforcement

of the provisions and accomplishment of the purposes of this act.

(b) The director of agriculture through his agents or employees, is hereby authorized to enter upon and inspect any car, truck, dairy premises, creamery, cheese factory, ice-cream factory, or other place where milk, cream, or products of milk of any kind are being produced, sold, handled, kept, transported, delivered, or used, or where the director of agriculture, his agents or employees have reason to believe that oleomargarine or substances designed to be used as a substitute for butter, or imitation butter, or imitation cheese, or imitation milk is being manufactured, sold, kept, delivered, transported, or stored in violation of any of the provisions of this act, or where they have reason to believe that containers used in the handling of milk or any product of milk are being used, kept, delivered transported, or stored, and to take samples of milk or any product of milk, imitation milk, or oleomargarine from such premises, and to impound and hold for evidence or pending an analysis any milk, or product of

milk, or imitation milk, or oleomargarine, or any container used in the handling of milk or any product of milk, which he has reason to believe may be manufactured, sold, kept, delivered, transported, stored, or handled in violation of any of the provisions of this act. The director of agriculture shall cause posters to be placed in a conspicuous manner on dairies throughout the State, indicating in a brief and simple manner the most important requirements for the production of dairy products.

(c) No tolerance in weights, measures, percentages of milk fat or moisture, or any other measure or standard shall be permitted under or according to the provisions of this act, except where specific provisions therefor are made in this

act.

(d) The director of agriculture, through his agents or employees, is authorized to condemn any milk, cream, butter, cheese, or other product of milk which is found to be impure, unclean, unwholesome, or stale, or that is produced, manufactured, handled, or kept in an insanitary place, or that is adulterated; and he shall have power to destroy, or to mark for identification with a nontoxic substance, any condemned milk or product of milk: Provided, That no manufactured product of milk or cream may be destroyed without due notice to the owner thereof and a hearing before the director of agriculture of the State of California or other officer especially designated by him.

(f) Containers found to be used in violation of the requirements of paragraph (a) of section 18 of this act shall be condemned and marked with the word "condemned" in an appropriate manner and shall not be used again in connection with the handling of milk or any product of milk for human consumption until they have been cleaned or repaired in a manner acceptable to an authorized representative of the Department of Agriculture of the State of California.

(g) It shall be un'awful for any person, firm, corporation, or association to prevent or to interfere with or to attempt to nullify in any way the work of duly authorized representatives of the Department of Agriculture of the State of California, or of an approved milk-inspection service maintained under the provisions of the pure milk law of California, or to interfere with or prevent any of said representatives from examining any records or books in the conduct of his official duty, or to prevent or to interfere with any of said authorized representatives in the event he deems it advisable to secure samples of milk or any product of milk, imitation milk, imitation butter, or oleomargarine, or any substance designed to be used as a substitute for milk or any product

of milk.

(h) The licenses issued in accordance with the provisions of section 16 of this act, upon a hearing before the director of agriculture, of which the licensee shall have a written notice of the time and place of said hearing and the charges made against him, may be suspended or revoked by said director of agriculture if, after written notice, the licensee fails, after 30 days, to comply with the laws, rules, and regulations under which the license was granted: Provided, That no such 30 days' notice shall be required in cases of manipulation of the measures, weights, samples, or tests for milk-fat content of milk or cream upon which

payment is based or the records thereof.

(i) No prosecution based on a sample or samples of milk, or any product of milk, shall be had unless a duplicate of said sample or samples is left with the accused: Provided, It shall not be required that samples taken in connec-

tion with the establishment of proof of fraudulent manipulation of the test for milk fat in milk or cream be given to the accused.

(j) It shall be the duty of the district attorney of each and every county in this State, upon application of the Department of Agriculture of the State of California, or its authorized representatives, to attend to the prosecution in the name of the people of any action brought for the violation of any of the provisions of this act within his county.

Sec. 13. There is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of \$27,000 to be expended by the Department of Agriculture of the State of California to carry out the provisions of

this act.

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Sec. 14. It is hereby expressly provided that this amendment shall become an integral part of the general dairy law of California and that it shall be read and interpreted in connection with the context of said act as a whole, and that it is subject to the same general provisions relating to unlawful sales, enforcement, violations, and penalties as are provided by said law.

Filled Milk-Manufacture or Sale Prohibited. (Ch. 525, Act May 16, 1927)

[This act amends section 3 of ch. 254,5 laws, 1923, to read as follows:]

SEC. 3. It shall be unlawful for any person, firm, corporation, or association, by himself, his servant, or agent, or as the servant or agent of another, to manufacture, sell, exchange, or have in possession with intent to sell or exchange, any milk, cream, skim milk, buttermilk, condensed or evaporated milk, powdered milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat, either under the name of said products, articles, or the derivatives thereof, or under any fictitious or trade name whatsoever: Provided, however, That the fat naturally contained in chocolate and not separated therefrom is hereby declared not to be a fat or oil within the meaning of this act: And provided further, That the addition to the products commonly known as condensed skim misk, condensed buttermilk, or semisolid buttermilk of not more than 5 per cent of pure cod-liver oil shall not be deemed to be a violation of the provisions of this act, so long as the resultant product shall be sold for poultry or stock feed: And provided further, That said product shall not be sold, offered for sale, or kept on hand for sale for human consumption.

Food and Liquor-Standard of Purity. (Ch. 342, Act May 6, 1927)

This act amends section 3 (as amended by ch. 161,6 laws, 1919) of chapter 181, laws, 1907, to read as follows:]

Sec. 3. The standard of purity of food and liquor shall be that proclaimed by the Secretary of the United States Department of Agriculture, the food inspection decisions, and the service and regulatory announcements of the Bureau of Chemistry, United States Department of Agriculture, or such other bureau, department, division, or administration of said United States Department of Agriculture as may from time to time hereafter have and exercise the powers, functions, and duties heretofore and now vested in and exercised by said Bureau of Chemistry, United States Department of Agriculture. Nothing in this section contained shall auth rize or permit any adulteration of any food or liquor because the standard of purity of such food or liquor has not been proclaimed by the Secretary of Agriculture, United States Department of Agriculture.

Local Food Inspection and Enforcement Divisions-Establishment Authorized—Powers and Duties. Food—Analyses—Procedure When Adulterated or Misbranded. (Ch. 359, Act May 7, 1927)

[This act adds the following sections to chapter 181, laws, 1907:]

SEC. 16a. The State board of health is hereby authorized to organize and establish local food inspection and enforcement divisions thereof, with headquarters at such points and with jurisdiction over such territory as the said board shall by order specify. For the purposes of this act, the term "local food inspection and enforcement division" shall be construed to mean the local health department headed by the duly appointed, qualified, and acting health officer of any county, city, or city and county designated by order of said board to act as such division within the territory specified in such order, which territory may include one or more counties, cities, or cities and counties.

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Sec. 16b. Such local food protection and enforcement divisions shall each have power and it shall be their duty to make, or cause to be made, examinations and analyses of food on sale within the territory over which such local division has jurisdiction and suspected of being adulterated, mislabeled, or misbranded, at such times and places and to such extent as the health officer of such local division shall determine. The health officer of any local food protection and enforcement division, together with his deputies, shall have, within the territory over which such local division has jurisdiction, the same powers as are possessed by peace officers of this State.

Sec. 16c. When an examination or analysis made pursuant to the provisions of section 16b hereof shows that any provision of this act has been violated, notice of the fact, together with a copy of the findings thereof, shall be furnished to the party or parties from whom the sample was obtained, or who

Supplement 49 to Public Health Reports, p. 55.
 Supplement 42 to Public Health Reports, p. 82.

issue the guaranty, as provided in this act, and a day and place shall be fixed by the health officer of the local food protection and enforcement division, at which said parties may be heard before him. At least 15 days' notice of such hearing shall be served upon the parties interested, which hearing shall be private and confined to questions of fact. Appearances may be made in person or by attorney and testimony may be taken and evidence introduced as to the correctness of the findings made by the person making the examination or performing the analysis above referred to. If such examination or analysis be found correct, or if the party or parties fail to appear, after notice duly given as above provided, the health officer conducting the hearing shall certify the facts found to the district attorney of the county in which said adulterated, mislabeled, or misbranded food was found, sold, or offered or exposed for sale. No publication as in this act provided shall be made until after said act is concluded.

Sec. 16d. It shall be the duty of the sheriff of any county, in exercising the powers conferred upon him by section 10 hereof, to furnish samples of any and all adulterated, misbranded, or mislabeled foods seized or purchased by him as in said section 10 provided, to the health officer of the local food protection and enforcement division, if any, having jurisdiction over the territory within which such seizure or purchase is made; and in carrying out the duties prescribed for him by section 17 hereof, it shall also be his duty to purchase

an additional sample and forward the same to such health officer.

Sec. 16e. The provisions of sections 16a, 16b, 16c, and 16d hereof shall not be construed as repealing either directly or by implication any of the existing sections of this act, but shall be construed as constituting an alternative method of enforcing the same and of carrying out the intent and purpose thereof.

The State board of health is hereby empowered to prescribe such rules and regulations relating to the operating of the "local inspection and enforcement division" as defined in section 16a as it may deem necessary to carry into effect the full intent and meaning of sections 16a, b, c, and d.

Canneries—License—Creation and Use of Cannery-Inspection Fund—Permit for Operators of Steam-Controlled Retorts for Sterilization of Food Products—Appointment of Inspectors, etc.—Labeling of Containers of Food Products. (Ch. 730, Act May 23, 1927)

[This act amends sections 1, 2, 3, and 5 of chapter 428, laws, 1925, to read

as follows:1

Section 1. It shall be unlawful for any person, firm, company, organization, association, or corporation in the State of California to engage in the commercial canning of any agricultural food products, fish or fish products, meat or meat products, which meat or meat products are not under the inspection of the Bureau of Animal Industry, United States Department of Agriculture, or the division of animal industry, California State Department of Agriculture, the sterilization of which in the opinion of the California State Board of Health requires the use of a pressure cooker, or a retort, without first obtaining a

license from the said State board of health.

Sec. 2. The said State board of health shall issue to any person, firm, company, organization, association, or corporation in the State of California an annual license on the receipt of \$10 per annum per plant, and such evidence as the board may require to show that the said person, firm, company, organization, association or corporation is properly equipped with a retort or retorts or pressure cooker which are properly equipped with recording thermometers, indicating thermometers, and pressure gauges to carry out such rules and regula-tions as the State board of health may adopt for the sterilization of such agricultural food products, fish or fish products, meat or meat products, which meat or meat products are not under the inspection of the Bureau of Animal Industry, United States Department of Agriculture or the division of animal industry California State Department of Agriculture. All moneys received by the State board of health for fees shall be deposited at least once each month in the State treasury to the credit of the cannery inspection fund, which fund is hereby created to be used exclusively for the payment of the expenses of enforcing the provisions of this act, and to be paid out only upon claims approved by the State board of health and the State board of control in the manner provided for by law. One thousand dollars of the cannery inspection fund may be used as a revolving fund for the purposes of carrying out the provisions of this act.

⁷ Supplement 59 to Public Health Reports, p. 32.

No person, firm, company, organization, association, or corporation in the State of California shall permit any person, employee, or individual to operate a steam-controlled retort or retorts used in the commercial canning industry for the sterilization of agricultural food products, fish or fish products, meat or meat products, which meat or meat products are not under the inspection of the Bureau of Animal Industry, United States Department of Agriculture or the division of animal industry California State Department of Agriculture, unless said person, employee or individual shall first obtain a permit from the State board of health which shall have power to pass upon and determine the qualifications of the applicant for the permit when granted shall be revocable by the board whenever in its judgment the public health requires such action.

Sec. 3. For the purpose of enforcing the rules and regulations of the State board of health and the provisions of the pure foods act relating to the canning of such agricultural food products, fish or fish products, meat or meat products, which meat or meat products are not under the inspection of the Bureau of Animal Industry, United States Department of Agriculture or the division of animal industry California State Department of Agriculture, the State board of health shall appoint a chief cannery inspector, and such additional inspectors and clerical assistance as it may deem necessary for the enforcement of its rules

and regulations.

Sec. 5. It shall be unlawful for any person, firm, company, organization, or association or corporation to place upon the label of any bottle, can jar, carton case, box, or barrel, or any receptacle, vessel, or container of whatever material or nature which may be used by a packer, manufacturer, producer, jobber, or dealer for inclosing any such canned agricultural food products, fish or fish products, meat or meat products, which meat or meat products are not under the inspection of the Bureau of Animal Industry, United States Department of Agriculture or the division of animal industry, California State Department of Agriculture, any statement relative to the product having been inspected, unless such statement has been approved, officially in writing, by the State board of health. Said approval shall be revocable at any time at the discretion of the State board of health upon official written notice.

Habit-Forming Drugs—Appointment of Committee to Consider Legislation Governing Traffic in, and to Make Study as to Treatment of Addicts. (S. Con. Res. 20, Filed April 29, 1927)

Whereas the misuse of habit-forming drugs constitutes a grave menace to society; and

Whereas there is great need for more vigorous action on the part of the State

of California to combat this evil; and

Whereas the States of Washington, Oregon, and California are particularly subject to the illegal traffic in narcotic drugs on account of their accessibility through the various ports; and

Whereas a united action on the part of these States is essential in order to

combat this evil: Now, therefore, be it

Resolved by the senate of the Legislature of the State of California, the assembly concurring, That there shall be, and hereby is, created a committee to consist of two members of the senate, to be appointed by the president of the senate, two members of the assembly, to be appointed by the speaker of the assembly, and one citizen of the State of California, to be appointed by the governor, said committee to act in the same manner as commissions from the States of Washington and Oregon for the purpose of considering the enactment of effective and uniform laws governing traffic in narcotic drugs; be it further

Resolved, That the committee hereinabove named shall also consider the advisability of harmonizing State laws with Federal narcotic laws in order to make possible closer cooperation between State and Federal law-enforcing

officials; be it further

Resolved, That the committee shall also make a complete study pertaining to the proper treatment of narcotic drug addicts and shall gather such other necessary information, formulate recommendations, and prepare and submit to the next session of the Legislature of the State of California their findings therein; be it further

Resolved, That the members of said committee shall receive no compensation for their services, but shall be paid their necessary traveling and other expenses. The sum of \$500 is hereby set aside from the contingent fund of the senate, and a like sum from the contingent fund of the assembly, and made available

for the purpose of defraying the expenses, if any, of such committee and committeemen, which expenses shall be paid equally from such contingent funds of the senate and assembly, and the State controller is hereby authorized and directed to draw his warrant in favor of the members of said committee for such expenditures as may be certified to him from time to time by said committee, and the State treasurer is hereby authorized and directed to pay the same.

State Narcotic Hospital—Providing of—Commitment and Admission to, and Treatment in, of Drug Addicts—Bringing of Narcotic Drugs, etc., into, by Unauthorized Person—Procuring or Aiding in the Escape of Inmates of, Unlawful—Unlawful to Contrive to Have Person Adjudged Drug Addict Improperly. (Ch. 89, Act April 9, 1927)

Section 1. This act shall be known as the "narcotic rehabilitation act." The director of institutions, with the approval of the State board of control, is hereby authorized and directed to provide on the grounds of an existing State institution or other property owned or acquired by the State an institutional unit to be used for the isolation and rehabilitation of narcotic users, which said unit shall be known as the State narcotic hospital and shall be administered as provided by law.

Sec. 2. Any person shall be held to be a "drug addict" within the meaning of this act who habitually takes or otherwise uses any opium, morphine, cocaine, or other narcotic drug, except when such taking or use is prescribed by a physician licensed to practice medicine and surgery in this State, in the course

of his professional practice only.

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Sec. 3. Whenever it appears by affidavit to the satisfaction of a magistrate of a county or city and county that any person is a drug addict within the meaning of this act, he must issue and deliver to some peace officer for service a warrant directing that such person be arrested and taken before a judge of the superior court for a hearing and examination on such charge. Such officer must thereupon arrest and detain such person until a hearing and examination can be had. At the time of the arrest a copy of said affidavit and warrant of arrest must be personally delivered to said person. Such affidavit and warrant of arrest must be substantially in the form provided by section 2168 of the Political Code for the arrest of a person charged with insanity. The person charged must be taken before a judge of the superior court, to whom said affidavit and warrant of arrest must be delivered to be filed with the clerk. The judge must then inform him of his rights to make a defense to such charge and produce any witnesses in relation thereto. The judge must by order fix such time and place for the hearing and examination in open court as will give a reasonable opportunity for the production and examination of witnesses. Such order must be entered in the minutes of the court by the clerk and a certified copy of the same served on such person. The judge may also order that such notice of the arrest of such person and the hearing of the charge be served on such relatives of said person known to be residing in the county, or city and county, as the court may deem necessary or proper. The judge may cause witnesses to be summoned and examined before him, and after a hearing and examination, if he believes the person charged is a drug addict, the court must make an order that such person be confined in the State narcotic hospital for an indeterminate period of not less than eight months nor more than two

SEC. 4. The court at the hearing must inquire into the financial condition of the person committed or the parent, guardian, or other person charged with the support of such person, if a minor, and if the court finds such person or persons able to do so in whole or in part a further order must be made requiring him or them to pay, to the extent the judge may consider just, the expenses of the proceedings in connection with the commitment of such person, the expenses of the delivery thereof to the State narcotic hospital, and to pay to the said hospital at stated periods such sums as in the opinion of the court are proper during such time as the person committed may remain in the said hospital.

Sec. 5. Whenever a girl or boy is brought before a juvenile court under the juvenile court law, or if on the arrest of any person charged with crime in any court, it appear to such court, either before or after jurisdiction, that such person is a drug addict within the meaning of this act, the court may adjourn the proceedings or suspend the sentence, as the case may be, and direct some suitable person to take proceedings under this act against the person before the court, and the court may order that pending the preparation,

filing and hearing of the petition the person before the court be detained in a place of safety, or if a minor, be placed under the guardianship of some suitable person on his entering into a recognizance for the appearance of the person upon trial or under conviction when required. If upon the hearing of the petition or upon a subsequent hearing under this act, the person before the court, upon trial, or under conviction be found not to be a drug addict as herein defined, the court may proceed with the trial or impose sentence, as the case may be; or, if such person be committed to the said hospital as a drug addict and shall have been detained therein for a period of not less than eight months, whenever thereafter the superintendent of the branch wherein said addict is confined and the director of institutions shall certify to the committing court that such person has been sufficiently treated, or shall give any other reason which is deemed by the court to be adequate and sufficient, the court may order the discharge of the person so committed, or may order his or her return to await the further action of the court.

SEC. 6. Any person committed under the provisions of this act, except such persons as may have been committed under the provisions of section 5, may be paroled or discharged after the expiration of eight months by the superintendent of the branch wherein such addict is confined, by and with the consent of the director of institutions, under such terms and conditions as they may establish, and must be discharged on the expiration of the maximum term of

SEC. 7. The superintendent of either ranch of the State narcotic hospital may accept as patients any persons voluntarily applying for treatment for drug addiction, and, if the voluntary applicant sign a statement that he or she is suffering from drug addiction and desires treatment in the same manner and subject to the same rules and restrictions as if committed by a court, may receive such person without formal commitment, with like effect as if formally committed, subject to discharge when sufficiently treated or for any other reason deemed adequate; Provided, however, That such voluntary patient shall agree to and must remain in said institution for a period of not less than eight months and must pay for his care and treatment therein such amount as may be fixed by the director of institutions.

SEC. 8. No person shall be admitted to the State narcotic hospital as a voluntary patient who has not been a resident of the State of California for a period

of two years next preceding application for admission.

SEC. 9. Witnesses at hearings for the commitment of drug addicts shall be entitled to receive the usual fees and expenses allowed by law in other cases in such courts; and any fees or traveling expenses payable to any witness in any proceeding for the commitment of a drug addict, and all expenses connected with the execution of any process under this act, which may not be paid by the drug addict or his parent, guardian, or other person charged with his support if he be a minor, shall be paid by the county treasurer of the county in which

such person resides.

SEC. 10. It shall be the duty of the sheriff of any county wherein an order is made by any court committing any person under this act, or of any other person designated by the said court, to execute the writ of commitment, and to receive as compensation therefor such fees as are now or may hereafter be provided by law for the transportation of prisoners to the State prison, and payable in the same manner: Provided, That in all cases the parent, guardian, or other person charged with the support of such person, being a minor, may, at his option, with the approval of the court, and in all cases where he is able or the estate of such person is sufficient, shall, if the said court approve, without expense to the county or State, execute said writ, after being duly sworn therefor, with like effect and with like powers as the sheriff would have; but no female person committed shall be taken to the said hospital by any male person not her husband, father, brother, or son, without the attendance of some woman of good character and mature age, chosen for the purpose by the court, which woman shall, if the court see fit, be paid therefor such reasonable remuneration as the court may allow.

SEC. 11. For each person committed under this act there shall be paid by the county or city and county of which he is a bona fide resident to the state treasurer, to the credit of the general fund of the State the sum of \$25 monthly for and during each month or part of month such person so committed remains an inmate of the institution, in case the payments herein provided to be made by the person committed, or by his parent, guardian, or other person charged with his support, he being a minor, should not be made, and to the extent they

are not made, not exceeding \$25 per month.

Sec. 12. Each county auditor must include in his State settlement report rendered to the controller in the months of May and December the amount due by reason of commitment under this act, and the county treasurer, at the time of the settlement with the State in such months, must pay to the State treasurer, upon the order of the controller, the amounts found to be due by reason of the

commitments herein referred to.

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Sec. 13. Within 30 days after the buildings herein provided for are prepared to accommodate them the department of institutions shall transfer to said hospital all persons then inmates of any State hospital for the insane who have been theretofore committed to such State hospital for the insane because or on account of drug addiction: Provided, however, They are not mentally deranged. The expense of such transfer is chargeable to the State, and the bills for same, when approved by the department of institutions, must be paid by the treasurer of State on the warrant of the controller, out of any moneys provided for the care and maintenance of drug addicts.

Sec. 14. In the event of the transfer of any inmate or patient as provided in section 13 of this act the liability of any estate, person, or county for the care, support, and maintenance of such person shall be the same as it was to the

institution from which the transfer is made.

Sec. 15. Any person not authorized by law, who brings into the said hospital, or within the grounds thereof, any opium, morphine, cocaine, or other narcotic, or any intoxicating liquor of any kind whatever, except for medicinal or mechanical purposes, or any firearms, weapons, or explosives of any kind, is guilty of a felony.

Sec. 16. If any person procure the escape of any inmate of the said hospital, or advise, connive at, aid, or assist in such escape, or conceal any such inmate

after such escape, he or she is guilty of misdemeanor.

Sec. 17. Anyone who shall knowingly contrive to have any person adjudged a drug addict under this act, unlawfully or improperly, shall be deemed guilty of a misdemeanor.

Sec. 18. Section 2185c of the Political Code in so far as it applies to the commitment of drug addicts is superseded by the provisions of this act.

Sec. 19. The invalidity of any part of this act shall not be construed to affect the validity of any other part capable of having practical operation and effect without the invalid part.

Division of Narcotic Enforcement—Maintenance, Powers, and Duties— Employees. (Ch. 597, Act May 17, 1927)

Section 1. The State board of pharmacy shall maintain under its supervision and control a division of narcotic enforcement which shall have charge of narcotic enforcement, and shall have such powers as may from time to time be referred and detegated to it by the State board of pharmacy. The said board, with the approval of the governor, shall appoint a chief of the division of narcotic enforcement who shall receive such compensations [sic] as the said board may deem necessary and proper.

The State board of pharmacy is also hereby empowered, subject to the approval of the department of finance, to employ and fix the compensation of such inspectors and other employees and of such attorneys as it may deem necessary to employ to perform all legal services connected with the said division. The said inspectors of the division of narcotic enforcement shall have all the powers and duties of peace officers in the performance of their duties, and shall

be exempt from the provisions of the civil service laws of this State.

All expenses incurred hereunder in the maintenance of said division of narcotic enforcement shall be paid out of any funds under the control and supervision of the State board of pharmacy. Claims against any such funds shall be audited by the State board of pharmacy subject to the approval of the department of finance and shall be paid by the State treasurer upon warrants drawn by the State controller.

Habit-Forming Drugs—Penalties for Violations of Act Relating to the Sale, Dispensing, Possession, etc., of. (Ch. 775, Act May 26, 1927)

[This act amends section 7 (as amended by ch. 59,8 laws, 1925) of chapter 102, laws, 1907, to read as follows:]

Sec. 7. Any person convicted under section 8 of this act for selling, peddling, furnishing, or giving away, or offering to sell, furnish, or give away, any of the

⁸ Supplement 59 to Public Health Reports, p. 33.

narcotic drugs or their derivatives mentioned in section 8, shall upon conviction for the first offense be punished by imprisonment in the county jail or in the State prison for not less than 6 months nor more than 6 years and for the second and each subsequent offense, shall be imprisoned in the State

prison for not less than 1 year nor more than 10 years.

Any person convicted under section 8 of this act for having in possession any of the narcotic drugs or their derivatives mentioned therein shall upon conviction for the first offense be punished by imprisonment in the county jail or in the State prison for not more than 6 years; for the second and each subsequent offense of which said person so convicted shall be found guilty, said person shall be punished by imprisonment in the county jail or in the State prison for not more than 10 years.

Any person who shall hire, employ, or use any minor under the age of 16 years in unlawfully transporting, carrying, selling, preparing for sale, peddling, or using any morphine, cocaine, heroin, opium, shall upon conviction thereof be deemed guilty of a felony and shall be punished by imprisonment in the State prison for not less than 1 year nor more than 5 years, and for each subsequent offense upon conviction be imprisoned in the State prison for not less than 6

years.

Any person who shall forge or alter any prescription for any narcotic drugs specified in section 8 of this act, or who obtains any such drugs by any forged or altered prescription, or who has in possession any such drugs secured by such forged or altered prescription, shall upon conviction for the first offense be punished by imprisonment in the county jail or in the State prison for not less than 6 months nor more than six years, and for a second or subsequent offense

in the State prison for not less than 1 year nor more than 10 years.

Any person violating any of the other provisions of this act except those contained in section 8 and 8½ shall be deemed guilty of a misdemeanor and upon conviction shall be fined in a sum not less than \$30, nor more than \$200, or by imprisonment for not less than 30 days, and not more than 50 days, or by both such fine and imprisonment. All moneys, forfeited bail, or fines received under the operation of this act shall be sent without delay by the magistrate receiving same, 75 per cent to the State treasurer to be deposited in the State treasury and 25 per cent to the city treasurer of the city, if incorporated, or to the county treasurer of the county in which the prosecution is conducted.

Habit-Forming Drugs—Sale, Dispensing, and Possession—Treatment of Addicts. (Ch. 60, Act April 5, 1927)

This act amends sections 8 (as amended by ch. 612, laws, 1919) and 81/2 (as added by ch. 612, laws, 1919) of chapter 102, laws, 1907, to read as follows:] Sec. 8. It shall be unlawful for any person, firm, or corporation to sell, furnish, or give away or offer to sell, furnish, or give away or to have in their or his possession any cocaine, opium, morphine, codeine, heroin, alpha eucaine, beta eucaine, flowering tops and leaves, extracts, tinctures, and other narcotic preparations or hemp or loco weed, (cannabis sativa), Indian hemp, peyote, (anhalonium), or chloral hydrate or any of the salts, derivatives, or compounds of the foregoing substances, or any preparation or compound containing any of the foregoing substances or their salts, derivatives, or compounds excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon, licensed to practice in this State, which order or prescription shall be dated and shall contain the name of the person for whom prescribed, written in by the person writing said prescription, or if ordered by a veterinary surgeon it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order. Such order or prescription shall be permanently retained on file by the person, firm, or corporation who shall compound or dispense the articles ordered or prescribed, and it shall not be again compounded or dispensed if each fluid or avoirdupois ounce contains more than 10 grains of chloral hydrate, or 4 grains of Indian hemp or loco weed excepting upon the written order of the prescriber for each and every subsequent compounding and dispensing.

No copy or duplicate of such written order or prescription shall be made or delivered to any person, but the original shall be at all times open to inspection by the prescriber and properly authorized officers of the law and shall be preserved for at least three years from the date of the filing thereof: *Provided*, That the above provisions shall not apply to sales at wholesale by jobbers, wholesalers, and manufacturers to pharmacies, as defined in section 1 of an act

entitled "An act to regulate the practice of pharmacy in the State of California, and to provide a penalty for the violation thereof; and for the appointment of a board to be known as the California State Board of Pharmacy, approved March 20, 1905, and acts amendatory thereof; or physicians, nor to each other, nor to the sale at retail in pharmacies by pharmacists to physicians, dentists, or veterinary surgeons duly licensed to practice in this State: Provided further, That all such wholesale jobbers, wholesalers, and manufacturers in this section mentioned shall keep in a manner readily accessible the written orders or blank forms required to be preserved under the provisions of section 2 of the act of Congress approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium of coca leaves and salts, derivatives, or preparations. And said records shall always be open for inspection by any peace officer or any member of the board of pharmacy or any inspector authorized by said board and such records shall be preserved for at least two years after the date of the last entry therein. The taking of any order, or making of any contract or agreement, by any traveling representative or any employee of any person, firm, or corporation, for future delivery in this State, of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by said traveling representative or employee within the meaning of the provision of this act: Providing further, That a true and correct copy of all orders, contracts, or agreements taken for narcotic drugs specified in this section shall be forwarded by registered mail to the secretary of the California State Board of Pharmacy within 24 hours after the taking of such order, contract, or agreement, unless such order, contract, or agreement is recorded as required under the provisions of section 2 of an act of Congress approved December 17, 1914, relating to the production, importation, manufacture, compounding, sale, dispensing, or giving away of opium or coca leaves, their salts, derivatives, or preparations of some wholesale jobber, wholesaler, or manufacturer permanently located in this State, as provided for in this section.

It shall be unlawful for any practitioner of medicine, dentistry, or veterinary medicine to administer to himself as a habitual user or furnish to or prescribe for the use of any other habitual user of the same, or of anyone representing himself as such, any cocaine, opium, morphine, codeine, heroin, or chloral hydrate, or any salt, derivative, or compound of the foregoing substances or their salts, derivatives, or compounds; and it shall also be unlawful for any practitioner of medicine or dentistry to prescribe or give any of the foregoing substances for himself or any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe or furnish any of the foregoing substances for the use of himself or any other human being: Provided, however, That the provisions of this section shall not be construed to prevent any duly licensed physician from furnishing or prescribing in good faith as their physician by them employed as such, for any habitual user of any narcotic drugs who is under his professional care, such substances as he may deem necessary for their treatment, when such prescriptions are not given or substances furnished for the purpose of evading the purposes of this act: *Provided*, That such licensed physician shall report in writing, over his signature, by registered mail, to the office of the California State Board of Pharmacy, within 24 hours after the first treatment, each and every habitual user of such narcotic drugs as are enumerated in this section, whom he or she has taken, in good faith, under his or her professional care. for the cure of such habit, such report to contain the date, name, and address of such patient, and the name and quantity of the narcotic or narcotics prescribed in such treatment: And provided further, That the above provisions shall not apply to preparations of the United States Pharmacopæia and National Formulary or other recognized or established formula or remedies sold or dispensed without a physician's prescription containing not more than 2 grains of opium, or one-fourth grain of morphine, or 1 grain of codeine, or oneeighth grain of heroin, or 10 grains of chloral hydrate or 4 grains of Indian hemp or loco weed in 1 fluid ounce, or, if a solid preparation, in 1 ounce, avoirdupois, except tincture opii comphorata (commonly known as paregoric) which may be sold only upon the prescription of a physician licensed to practice in this State and said prescription shall not be again refilled or dispensed.

Sec. 8½. Any of the drugs mentioned in section 8 of this act employed in treating a habitue or addict must be applied or administered by a licensed physician and surgeon of this State, or a registered nurse acting under his instructions, and except during emergency treatment or where the patient's addiction is complicated by the presence of incurable disease, serious accident,

or injury, or the infirmities attendant upon age shall be permitted only in institutions approved by the State board of medical examiners, where the patient is kept under restraint and control, or in city or county jails or State prisons: Provided further, That any licensed physician treating any habitue under section 8 of this act shall not prescribe for or furnish such habitue more than eight grains of opium, or four grains of morphine, or two grains of cocaine, or two grains of heroin for each daily treatment, and at the end of 15 days of such treatment the said physician shall not prescribe for or furnish to such habitue, for each daily treatment, more than four grains of opium, or two grains of morphine, or one grain of cocaine, or one grain of heroin, and at the end of 30 days from the first treatment the prescribing or furnishing of any of the narcotic drugs above enumerated shall be entirely discontinued; and the physician shall report by registered mail as required in section 8 of this act, and shall in the same manner further report in 15 days, and in 30 days, the progress of the patient under the treatment so administered by him; otherwise, said treatment shall not be considered in good faith as provided in section 8 of this act: Provided however, That any licensed physician may prescribe for or furnish his patient as their physician employed by them as such, and who is suffering with some incurable disease, ailment, or injury, any of the narcotic drugs mentioned in section 8, in such quantity as may be necessary for a reasonable length of time and the physician prescribing or furnishing any of the narcotic drugs must personally furnish a signed, detailed report in writing, to the office of the California State Board of Pharmacy, by registered mail, within 24 hours after writing the first prescription or furnishing the narcotic drug to such patient: And provided further, That the California State Board of Pharmacy may employ a licensed physician to interview, examine, and report the result of such interview or examination of any patient coming under the provisions of this section: *Provided further*, That the California State Board of Health shall furnish, upon request in writing from the California State Board of Pharmacy, a list of incurable diseases or ailments which, in its judgment, might require excessive amounts of narcotic drugs to be prescribed for or furnished by a physician for relief or benefit.

Drinking Utensils-Sterilization. (Reg. Bd. of Public H., October 8, 1927)

Resolved, That in the enforcement of paragraph 2 of the common drinking cup act, chapter 744,° statutes, 1917, the alternate methods of sterilization provided for shall be any method bacteriologically effective. All previous regulations concerning the sterilization of drinking glasses are herewith rescinded.

Metropolitan Water Districts—Incorporation, Government, Powers, Duties, Maintenance, Enlargement, and Diminution. (Ch. 429, Act May 10, 1927)

Section 1. This act shall be known as the "Metropolitan water district act" and shall apply to the incorporation, organization, government, maintenance, and operation of the water districts herein provided for and described, and to the board of directors herein referred to.

Sec. 2. As used herein the term "municipality" or "city" shall be deemed to mean and include any municipal corporation of the State of California, whether organized under a freeholders' charter or under the provisions of general law; and for the purposes of this act such words "municipality" and "city" shall also include and mean any water district incorporated for the service of water in other than municipal territory.

The terms "board" and "board of directors" shall be deemed to refer to the directors created under section 6 hereof.

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Sec. 3. Metropolitan water districts may be organized hereunder for the purpose of developing, storing, and distributing water for domestic purposes, and may be formed of the territory included within the corporate boundaries of any two or more municipalities, which need not be contiguous, and may be incorporated and organized and thereafter governed, maintained, and operated as herein provided, and when so incorporated shall have and exercise such powers as are herein expressly granted, together with such powers as are reasonably implied therefrom and necessary and proper to carry out the objects and purposes of such incorporated districts. Each such district when so incorporated shall be a separate and independent political corporate entity.

Sec. 4. Such metropolitan water district shall be organized and incorporated in the following manner:

⁹ Supplement 37 to Public Health Reports, p. 60.

(a) The legislative body of any municipality may pass an ordinance declaring that the public convenience and necessity require the incorporation of a metropolitan water district, which ordinance shall state: (a) That it is proposed to incorporate a metropolitan water district under the provisions of this act; (b) the names of the cities proposed to be included within the district to be incorporated; (c) the name of the proposed district; and (d) an estimate of the preliminary costs and expenses of incorporating and organizing the proposed district and an apportionment of such costs and expenses among the several municipalities proposed to be included within such district. Such apportionment shall be substantially in accordance with population as shown by the most recent Federal census.

(b) It shall be the duty of the clerk of the legislative body, upon the taking effect of such ordinance, to forthwith transmit a certified copy thereof by registered mail to the chief executive officer of each of the other municipalities

named therein.

(c) Within 60 days after the receipt by any municipality named therein of a certified copy of such ordinance, the legislative body of such municipality shall by order either approve or reject such ordinance without alteration or amendment. In the event that the legislative body of any municipality shall fail to act upon such ordinance as herein provided within such period of 60 days after receipt of a certified copy thereof, such municipality shall be deemed to have

rejected said ordinance.

(d) Immediately upon the approval or rejection of said ordinance by the legislative body of any municipality, the clerk thereof shall forward to the clerk of the municipality initiating the proceedings a certified copy of the order approving or rejecting such ordinance, as the case may be. Each municipality thus approving such ordinance shall promptly pay over to the municipality initiating the procedure hereunder the sum of money apportioned to it by the municipality initiating the proceedings as its share of the preliminary costs and expenses of the incorporation and organization of such district, and the money so paid shall constitute a fund for the purpose of defraying such costs and expenses of conducting the election herein provided for as are not met by the respective municipalities, and such incidental expenses as may be properly incurred in connection therewith. Each municipality contributing money as herein provided shall be entitled to credit with the district for the amount contributed.

(e) Within 120 days after the transmission of said original ordinance, as provided in subdivision (b) of this section, but not until each municipality named therein shall have acted thereon or said 60-day periods shall have expired, the legislative body of the initiating city shall call and provide for the holding of a special election in all of the municipalities, the legislative bodies of which shall have approved said original ordinance as herein provided, including the initiating city, at which election the proposition of the incorporation of such metropolitan water district shall be submitted to the electors residing within such municipalities for ratification or rejection. Such election may be held separately or may be consolidated or held concurrently with any other election or elections authorized by law at which the electors residing in all of the cities

wherein such election is called to be held are entitled to vote.

(f) Such election shall be called by ordinance by the governing body of the initiating city. Such ordinance shall contain (1) the names of all cities, the governing bodies of which shall have approved the original ordinance as provided in subdivision (c) of this section, in which cities such election shall be called to be held; (2) the day upon which such election shall be held; (3) the time for opening and closing polls; and (4) the manner of voting for or against the proposition. (5) Such ordinance shall also designate the precincts and polling places and shall appoint the officers of such election, which officers shall consist of 1 inspector, 1 judge, and 2 clerks in each precinct. The description of precincts may be made by reference to any order or orders of the board of supervisors of the county or counties in which the proposed metropolitan water district, or any part thereof, shall be situated, or by reference to any provisions, order, or ordinance of the legislative body of any municipality proposed to be included in the incorporation of such metropolitan water district, or by detailed description of such precincts. Precincts established by the boards of supervisors of the various counties to a number of not exceeding six may be consolidated for special elections held hereunder.

Whenever any election held hereunder shall be held concurrently with or shall be consolidated with any primary or general election, the precincts, polling places, and officers of election shall be those designated and appointed for such primary or general election, and the ordinance calling the election hereunder need not designate precincts or polling places or name the election officers, but shall refer to the order or orders, or act or acts, by which such other election shall have been called, and by which the precincts and polling places thereof shall have been fixed and the officers of election appointed.

(g) The ordinance calling such election shall be published once at least 10 days before the date of the election therein called in a newspaper of general circulation printed and published in each county within the proposed metropolitan water district, and no other or further notice of such election or publication of the names of election officers or of the precincts or polling places need be given or made.

(h) The ballot used at such election shall contain the words "Shall the territory embraced within the corporate boundaries of the city of __ a part of the _____ metropolitan water district" (inserting the name of the city or water district, as the case may be, wherein such ballot shall be used and the name of the metropolitan water district as stated in the initiating ordinance) and the words "Yes" and "No," accompanied by voting squares set opposite thereto so that any elector may record his vote either for or against the proposition.

(i) When such election shall be held separately or shall be conducted concurrently with any other election but by the use of separate ballots, such ballots shall be counted by the respective election boards and the returns thereof shall be made to the governing board of the initiating city, which body, at its first regular meeting occurring five days after such election, shall canvass the

returns and declare the result thereof.

In the event that any election held hereunder shall be consolidated with any primary or general election and the proposition herein provided for shall be printed upon a ballot containing other propositions, the returns of the election held hereunder shall be made with the returns of the primary or general election to the boards of supervisors or other bodies whose duty it shall be to canvass the returns thereof, and the results of the election held hereunder shall be canvassed at the time and in the manner provided by law for the canvass of the returns of such primary or general election. It shall be the duty of such canvassing body or bodies to promptly certify and transmit to the governing body of the initiating city a statement of the result of the vote upon the proposition submitted hereunder in each of the respective cities, the returns for which shall have been made to such canvassing bodies. Upon the receipt of such certificates it shall be the duty of the governing body of the initiating city to tabulate and declare the result thereof.

The governing body of the initiating city shall certify to the secretary of state the proceedings had together with the result of the election, separately stating the names of the cities in which a majority of the electors voting upon the proposition shall have voted affirmatively: Provided, however, That the total assessed valuation in such approving municipalities as shown by county assessment records shall be not less than two-thirds of the total assessed valuation within the district as proposed in the original ordinance according to the

records of the county or counties.

The secretary of state shall within 10 days after thereceipt of such certificate of election issue a certificate of incorporation reciting that the district named in such certificate of election has been incorporated according to the laws of the State of California, and naming the municipalities of which said district shall be composed as shown by such certificate of election, which municipalities shall be those in which the majority of electors voting on the proposition of incorporation shall have voted affirmatively. The secretary of state shall transmit to each such municipality a copy of said certificate of incorporation. The incorporation of any metropolitan water district shall be and become effective from and after the date of the issuance of such certificate of incorporation, and such district shall thereupon and therafter become vested with all of the rights, privileges, and powers in this act provided.

(j) The validity of the incorporation of any such district shall be incontestable in any suit or proceeding which shall not have been commenced within three months from the date of the issuance of the certificate of incorporation thereof; and no validity [sic] or irregularity in any proceeding which does not substantially and adversely affect the interests of the electors or citizens of the district, or any municipality therein, shall be held to invalidate the

incorporation of any such district.

SEC. 5. Any district incorporated as herein provided shall have power:

(1) To have perpetual succession;

(2) To sue and be sued in all actions and proceedings and in all courts and tribunals of competent jurisdiction;

(3) To adopt a corporate seal and alter it at pleasure.

(4) To take by grant, purchase, bequest, devise, or lease, and to hold, enjoy, lease, sell, or otherwise dispose of, any and all real and personal property of any kind within or without the district and within and without the State necessary or convenient to the full exercise of its powers; also to acquire, construct or operate, control and use any and all works, facilities, and means necessary or convenient to the exercise of its powers, both within and without and within or without the district and within and without the State, and to do and perform any and all things necessary or convenient to the full exercise of

the powers herein granted.

(5) To have and exercise the power of eminent domain and in the manner provided by law for the condemnation of private property for public use to take any property necessary to the exercise of the powers herein granted except water and water rights already devoted to beneficial use and power plants devoted to public use: And provided further, That any district organized under the provisions of this act shall not have or exercise the power of eminent domain for the purpose of condemning or taking any water or right to water conserved or stored behind any flood control dam that has been or may hereafter be built or constructed by any flood control district created by act of legislature of this State. Subject to the express limitations hereinbefore set out, in any proceeding relative to the exercise of such power of eminent domain, the district shall have the same rights, powers, and privileges as a municipal corporation.

(6) To construct and maintain works and establish and maintain facilities across or along any public street or highway and in, upon, or over any of the lands which are now, or may become, the property of the State of California, and to construct works and establish and maintain facilities across any stream of water or water course: Provided, however, That the district shall promptly restore any such street or highway to its former state of usefulness as nearly as may be, and shall not use the same in such manner as to completely or unnecessarily impair the usefulness thereof. In the use of streets the district shall be subject to the reasonable rules and regulations of the county or city wherein such streets lie, concerning excavations and the refilling of excavations, the relaying of pavements and the protection of the public during periods of construction: Provided, That the district shall not be required to pay any license or permit fees, or file any bonds. The district may be required to pay reasonable inspection fees.

(7) To borrow money and incur indebtedness and to issue bonds or other evidence of such indebtedness: *Provided*, *however*, That no district incorporated hereunder shall incur indebtedness which, in the aggregate, shall exceed 15 per cent of the assessed valuation of all the taxable property included within the district, as shown by the assessment records of the county or counties, excepting property subject to taxation for State purposes under the provisions of section 14 of Article XIII of the constitution of the State of

California.

(8) To levy and collect taxes for the purposes of carrying on the operations and paying the obligations of the district: Provided, however, That such tax levied under this section exclusive of any tax levied to meet the bonded indebtedness of such district and the interest thereon, shall not exceed 5 cents on each such \$100 of assessed valuation; to enter into contracts, employ and retain personal services and employ laborers; to create, establish, and maintain such offices and positions as shall be necessary and convenient for the transaction of the business of the district, and to elect, appoint, and employ such officers, attorneys, agents, and employees therefor as shall be found by

the board of directors to be necessary and convenient.

(9) To join with one or more other public corporations for the purpose of carrying out any of its powers, and for that purpose to contract with such other public corporation or corporations for the purpose of financing such acquisitions, constructions, and operations. Such contracts may provide for contributions to be made by each party thereto and for the division and apportionment of the expenses of such acquisitions and operations, and the division and apportionment of the benefits, the services and products therefrom, and may provide for an agency to effect such acquisitions and carry on such operations, and shall provide in the powers and methods of procedure for such agency the method by which such agency may contract. Such contract

may contain such other and further covenants and agreements as may be necessary and convenient to accomplish the purposes hereof. The term "public corporation" as used in this subdivision shall be deemed to mean and include the United States or any other public agency thereof or this or any other State or any political district or subdivision thereof.

(10) To acquire water and water rights within or without the State, to develop, store, and transport water, to sell water at wholesale for municipal and domestic uses and purposes, and to fix the rates therefor, and to acquire. construct, operate, and maintain any and all works, facilities, improvements,

and property necessary or convenient therefor.

SEC. 5½. Each c.ty the area of which shall be a part of any district incorporated hereunder shall have a preferential right to purchase from the district for domestic and municipal uses within such city a portion of the water served by the district which shall, from t me to time, bear the same ratio to all of the water supply of the district as the assessed valuation of property assessable for district purposes in such city shall bear to the assessed valuation of all property assessable for district purposes in the district.

Sec. 6. All powers, privileges, and duties vested in or imposed upon and d'strict incorporated hereunder shall be exercised and performed by and through a board of directors: Provided, however, That the exercise of any and all executive, administrative, and ministerial powers may be by said board of directors delegated and redelegated to any of the offices created hereby or by the board

of directors acting hereunder.

The board of directors herein referred to shall consist of at least one representatives from each municipality the area of which shall lie within the metropolitan water district. Such representatives shall serve without compensation from the district and shall be designated and appointed by the chief executive officers of municipalities, respectively, with the consent and approval of the governing bodies of the municipalities, respectively. As a member of the board of directors, each representative shall be entitled to vote on all questions, orders, resolutions, and ordinances coming before the board, and shall be entitled to cast one vote for each \$10.000,000 or major fractional part thereof of assessed valuation of property taxable for district purposes in the city represented by him as shown by the assessment records of the county and evidence by the certificate of the county auditor: Provided, That each representative shall have at least one vote and no municipality shall have votes exceeding in number 50 per cent of the total number of votes of all the members. In lieu of one representative any city may at its option des gnate and appoint several representatives not exceeding one additional representative for each \$200,000,000 of assessed valuation, but such representatives shall cast the vote to which such city would otherwise be entitled as a unit and as the majority thereof shall determine. The affirmative votes of members representing more than 50 per cent of the total number of votes of all the members shall be necessary and except as otherwise herein provided shall be sufficient to carry any order, resolution, or ordinance coming before the board of directors. For the purposes of this section, the term "major fract onal part" shall be deemed to mean a fractional part larger than one-half. The members of the board of directors so constituted shall convene at the time and place fixed by the chief executive officer of the municipality initiating the proceedings hereunder, and immediately upon convening such board of directors shall elect from its membership a chairman, a vice chairman, and a secretary, who shall serve for a period of two years, or until their successors shall be elected and

The board of directors shall have power:

(1) To fix the time and place or places at which its regular meetings shall be held, and shall provide for the calling and holding of special meetings.

(2) To make and pass ordinances, resolutions, and orders not repugnant to the Constitution of the United States or of the State of California, or to the provisions of this act necessary for the government and management of the affairs of the district, for the execution of the powers vested in the district and for carrying into effect the provisions of this act. On all ordinances and resolutions the roll shall be called and the ayes and noes recorded. Orders may be adopted viva voce, but on demand of any member the roll shall be called. No ordinance or resolution shall be adopted unless it shall have been introduced on a day previous to the time of such adoption: Provided, That in lieu of such previous introduction any ordinance or resolution may be mailed by registered mail, postage prepaid, to each member of the board of directors at least five days prior to the day upon which such ordinance shall be presented for adoption.

No resolution or ordinance of the board of directors, except ordinances calling election and levying taxes, shall take effect until the expiration of 30 days following the adoption thereof, and such ordinances and resolutions shall be subject to referendum in the manner provided by law for the legislative acts of boards of supervisors of counties.

(3) To fix the location of the principal place of business of the district and

the location of all offices and departments maintained hereunder.

(4) To prescribe by ordinance a system of business administration and to create any and all necessary offices, which shall include the office of controller, and to establish and reestablish the powers and duties and compensation of all officers and employees and to require and fix the amount of all official bonds necessary for the protection of the funds and property of the district.

(5) To prescribe by ordinance a system of civil service.

(6) To delegate and redelegate by ordinance to officers of the district power to employ clerical, legal, and engineering assistance and labor, and under such conditions and restrictions as shall be fixed by the directors power to bind the

district by contract.

(7) To prescribe a method of auditing and allowing or rejecting claims and demands and for the letting of contracts, which method shall provide for the publication of notices inviting bids on all contracts for the construction of buildings or works or for supplies or materials, the consideration of which shall be \$10,000 or more.

(8) To fix the rates at which water shall be sold: Provided, however, That rates shall be uniform for like classes of service throughout the district.

SEC. 7. (a) Whenever the board of directors of any water district shall, by ordinance adopted by a vote of a majority of the aggregate number of votes of all the members of the board of directors, determine that the interests of said district and the public interest or necessity demand the acquisition, construction or completion of any public improvement or works, or the incurring of any preliminary expenses, necessary or convenient to carry out the objects or purposes of said district the cost of which will be too great to be paid out of the ordinary annual income and revenue of the district, said board of directors may order the submission of the proposition of incurring bonded indebtedness, for the purposes set forth in the said ordinance, to the qualified voters of such district, at an election beld for that purpose. Any election held for the purpose of submitting any proposition or propositions of incurring such bonded indebtedness may be held separately, or may be consolidated or held concurrently with any other election authorized by law at which the qualified electors The declaration of public interest or of the district are entitled to vote. necessity herein required and the provision for the holding of such election may be included within one and the same ordinance, which ordinance in addition to such declaration of public interest or necessity shall recite the objects and purposes for which the indebtedness is proposed to be incurred, the estimated cost of the public works or improvements, or the estimated amount of preliminary expenses, as the case may be, the amount of the principal of the indebtedness to be incurred therefor and the maximum rate of interest to be paid on such indebtedness, which rate shall not exceed 6 per cent per annum, payable semiannually. Such ordinance shall also fix the date upon which such election shall be held and the manner of holding the same and the method of voting for or against incurring the proposed indebtedness. Such ordinance shall also fix the compensation to be paid the officers of the election and shall designate the precincts and polling places and shall appoint the officers of such election, which officers shall consist of one inspector, one judge, and two clerks in each pre-The description of precincts may be made by reference to any order or orders of the board of supervisors of the county or counties in which the district or any part thereof is situated, or by reference to any previous order or ordinance of the legislative body of the municipality, or by detailed description Precincts established by the boards of supervisors of the of such precincts. various counties, to a number not exceeding six, may be consolidated for special elections held hereunder. In the event that any bond election shall be called to be held concurrently with any other election or shall be consolidated therewith, the ordinance calling the election hereunder need not designate precincts or polling places or the names of officers of election, but shall contain reference to the act or order calling such other election and fixing the precincts and polling places and appointing election officers therefor.

(b) The ordinance provided for in subdivision (a) of this section shall be published once, at least 10 days before the date of the election therein called, in a newspaper of general circulation printed and published within the district.

and no other or further notice of such election or publication of the names of election officers or of the precincts or polling places need be given or made.

(c) The respective election boards shall conduct the election in their respective precincts in the manner prescribed by law for the holding of general elections and shall make their returns to the secretary of the district. At any regular or special meeting of the board of directors held not earlier than five days following the date of such election, the returns thereof shall be canvassed and the results thereof declared. In the event that any election held hereunder shall be consolidated with any primary or general election and the proposition to incur indebtedness shall be printed upon a ballot containing other propositions, the returns of the election held hereunder shall be made with the returns of the primary or general election to the board of supervisors or other bodies whose duty it shall be to canvass the returns thereof, and the results of the election held hereunder shall be canvassed at the time and in the manner provided by law for the canvass of the returns of such primary or general election. It shall be the duty of such canvassing body or bodies to promptly certify and transmit to the board of directors of the district a statement of the result of the vote upon the proposition submitted hereunder. Upon receipt of such certificates it shall be the duty of the board of directors to tabulate and declare the results of the election held hereunder.

(d) In the event that it shall appear from said returns that a majority of the electors voting on any proposition submitted hereunder at such election voted in favor of such proposition, the district shall thereupon be authorized to issue and sell bonds of the district in the amount and for the purpose or purposes and object or objects provided for such proposition in such ordinance, and at a rate of interest not exceeding the rate recited in said ordinance.

(e) All bonds of such district issued under the provisions of this act shall be payable substantially in the following manner: A part to be determined by the board of directors which shall not be less than one-fortieth part of the whole amount of such indebtedness shall be paid each and every year on a day and date, and at a place or places to be fixed by said board of directors, together with the interest on all sums unpaid at such date: Provided, however, That said board may, in its discretion, determine and fix the date for the earliest maturity of the principal of such bonds, not more than 15 years from the date of the issue of such bonds; in this event the whole amount of such indebtedness must be made payable in substantially equal annual parts in not to exceed 40 years from the date of the issue thereof. The bonds shall be issued in such denominations as the board of directors may determine, except that no bonds shall be of less denomination than \$100 nor of a greater denomination than \$1,000, and shall be payable on the day and at the place or places fixed in such bonds and with interest at the rate specified therein, which rate shall not be in excess of 6 per cent per annum, and shall be payable semiannually. Such bonds shall be signed by the chairman of said board of directors. or by such other officer as said board of directors shall, by resolution adopted by a majority vote of its members authorize and designate for that purpose, and such bonds shall also be signed by the controller and countersigned by the secretary of said board of directors.

(f) The coupons of said bonds shall be numbered consecutively and signed by said controller, whose signature may be printed or engraved thereon. In case any of such officers whose signatures or countersignatures appear on the bonds or coupons shall cease to be such officer before the delivery of such bonds to the purchaser such signatures or countersignatures shall nevertheless be valid and sufficient for all purposes, the same as if they had remained in office until the delivery of such bonds.

(g) Such bonds shall not be sold at a price less than the par value thereof together with accrued interest to the date of delivery, nor until notice calling for bids therefor shall have been published in a newspaper of general circulation published and circulated in the county wherein the principal place of business of said district shall be located. Said notice, calling for bids, shall state the time for the receipt of such bids which shall be not less than 10 days after the first publication thereof. Such notice may offer the bonds at a fixed interest rate or with the interest rate undetermined, in which event the bids shall contain a statement of the lowest rate of interest at which the bidder will take the bonds and pay par value or more therefor, together with accrued interest. Bids for such bonds shall be opened publicly and the results thereof publicly announced. Such bonds shall be sold to the highest bidder.

(h) Such bonds may be issued and sold by said board of directors as they shall determine, and the proceeds thereof, excepting premium and accrued

interest, shall be placed in the treasury of said district to the credit of the proper improvement fund, and shall be applied exclusively to the purposes and objects mentioned in said ordinance. Premium and accrued interest shall be placed in the fund to be applied to the payment of interest on and the re-

tirement of the bonds so sold.

(i) The board of directors may at any time within 60 days from the date of the resolution authorizing the issuance of bonds cause to be brought in the name of the district an action in the superior court of the county in which said district or the greater portion thereof is located to determine the valid ty of any such bonds. Such action shall be in the nature of a proceeding in rem, and jurisdiction of all parties interested may be had by publication of summons for at least once a week for three weeks in some paper of general circulat on published in the county where the action is pending, such paper to be designated by the court having jurisdiction of the proceedings. Jurisdiction shall be complete within 10 days after the full publication of such summons in the manner herein provided. Any one interested may at any time before the expiration of said 10 days appear and by proper proceedings contest the validity of such bonds. Such action shall be speedily tried and judgment rendered declaring such bonds to be valid or invalid. Either party may have the right to appeal to the supreme court at any time within 30 days after the rendition of such judgment, which appeal must be heard and determined within three months from the time of taking such appeal. After the expiration of 90 days from the date of the resolution authorizing the issuance of bonds, no action may be brought to contest or question the validity of said bonds and proceedings thereto. If there be more than one action or proceeding involving the validity of any such bonds, they shall be consol dated and tried together. The court hearing any proceeding or action inquiring into the regularity, legality, or correctness of the proceedings leading up to the issuance of bonds or the validity of such bonds must disregard any error, irregularity, or omission which does not affect the substantial rights of the parties to said action or proceeding. The rules of pleading and practice provided by the Code of Civil Procedure, which are not inconsistent with the provisions of this act, are applicable to all actions or proceedings herein provided for. The motion for a new trial of any such action or proceeding must be heard and determined within 10 days from the filing of the notice of intention. The costs on any proceeding or action herein provided for may be allowed and apportioned between the parties or taxed to the losing party, in the discretion of the court.

(j) The board of directors of the metropolitan water district shall at the time of fixing the tax levy and in the manner for such tax levy provided, levy, and collect annually until said bonds are paid or until there shall be a sum in the treasury of the district set apart for that purpose sufficient to meet all sums coming due for principal and interest on such bonds, a tax sufficient to pay the annual interest on such bonds, and also such part of the principal thereof as shall become due before the time when money will be available from the next general tax levy: Provided, however, That if the maturity of the indebtedness created by the issue of bonds be made to begin more than one year after the date of the issuance of such bonds, such tax shall be levied and collected at the time and in the manner aforesaid annually sufficient to pay the interest on such indebtedness as it falls due and also to constitute a sinking fund for the payment of principal thereof on or before maturity. The taxes herein required to be levied and collected shall be in addition to all other taxes levied for district purposes and shall be collected at the time and in the same manner as other district taxes are collected and shall be used for no purpose other than

the payment of such bonds and accruing interest.

Sec. 8. (d) Immediately after equalization and not later than the 15th day of August of each year, it shall be the duty of the auditor of each county wherein such district or any part thereof shall lie to prepare and deliver to the controller of the district a certificate showing the assessed valuation of all property within the district lying in the county, and also such assessed valuation segregated according to cities, the area of which lie within the district.

(b) On or before the 20th day of August the board of directors of the district shall by resolution determine the amount of money necessary to be raised by taxation during the ensuing fiscal year and shall fix the rate of taxation of the district, designating the number of cents upon each \$100 assessed valuation of taxable property in each county and shall levy a tax accord ngly.

(c) The board of directors shall also cause to be computed and shall declare in said resolution the amount of money to be derived from the area of the dis-

trict lying within each separate municipality by virtue of the tax levy. In such resolution the board shall also fix and determine the times and proportional amounts of installments in which any city may elect to make payment in lieu of taxes as hereinafter provided. The board shall immediately cause certified copies of such resolution to be transmitted to the presiding officer of the

governing body of each such city.

(d) On or before the 25th day of August of each year the governing body of each such city may elect to pay out of the municipal funds all or any portion of the amount of tax which would otherwise be levied upon property within such city. Such election shall be made by order upon motion, which order shall recite that such payment shall be made in cash concurrently with the certification of such order to the controller of the district, or that such payment shall be made in installments and the times wherein such installments shall be payable and the amounts thereof, which amounts shall be in accordance with the requirements of the board of directors of the district as approved by resolution. In the event that any city shall elect to pay in cash or by deferred installments money or any part thereof which would otherwise be levied upon property within the city, it shall immediately certify to the controller of the district a copy of such order and a statement showing its financial condition, the funds from which such payments shall be made, and the sources of revenue to be used therefor.

(e) Before the 1st day of September the controller of the district shall cause to be prepared and transmitted to the auditor of each county in which the district shall lie a statement showing the tax rate to be applied to assessed property in each city, which rate shall be the rate fixed by resolution of the board of directors, modified to the extent necessary to produce from each city only the amount of money apportioned thereto in said resolution, less any amount paid or undertaken to be paid by such city, or credited thereto as herein provided; but if any fraction of a cent occur, it must be taken as a full

cent on each \$100.

(f) As an alternative procedure to that set out in subdivisions (b), (c), (d), and (e) hereof, the board of directors may, by ordinance, elect to proceed in accordance with subdivisions (f), (g), (h), (i), and (j) of this section in the

manner following:

On or before the 1st day of July of each year the controller of the district shall prepare a statement showing (1) the amount of money estimated to be required for district purposes during the ensuing fiscal year, (2) the amount of revenue anticipated to be received from the sale of water, (3) the amount of revenue to be derived from taxation, (4) the amount of money to be derived from taxation of property assessable for district purposes within each city. The apportionment of money to be derived by taxation from each city shall be so made as to require the owners of taxable property within each city to contribute equitably to the funds of the district and shall be made with reference to the assessed valuation in each city as shown by the county assessment records for the preceding year, the estimated amount which the utility or utilities serving water in each city, respectively, will pay into the treasury of the district for water delivered by the district, and the amount of money theretofore contributed to the district by each city, and the amount with which each city stands credited by the district as herein provided.

(g) On or before the 15th day of July of each year certified copies of such statement shall be transmitted to the governing board of each city within the district, together with a notice that at a place and on a day and at an hour named therein, which day shall be between the 15th and 25th days of August, both inclusive, the board of directors of the district will hear any protest or objections to the apportionment which shall have been regularly filed. A similar notice, together with a copy of said statement, shall be published once in a newspaper of general circulation printed, published, and circulated within the district. It shall also be competent for the board of directors to order and provide for the publication or posting of such additional notices as may be deemed desirable or necessary to fully apprise all persons affected thereby of the contents of the statement and the time and place of hearing thereon. Failure to give such additional notice shall not affect the regularity of

proceedings hereunder.

(h) At any time not later than one week before the time noticed for hearing, any city or the owner or owners of any property assessable for district purposes within the district may file a protest against the apportionment. At the time and place set for hearing, or at any time or place to which such hearing may be continued, the board of directors shall hear and pass upon all protests

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and objections regularly filed, and may confirm or modify and confirm the apportionment as contained in said statement of the controller, and its decision thereon shall be final and conclusive. No action shall be taken upon any

protest filed later than one week preceding such hearing.

(i) When the assessed valuations of property assessable for district purposes within the respective cities within the district shall have been received and the apportionment of money to be derived from taxation shall have been finally determined, the board of directors shall cause to be computed and shall levy upon property taxable for district purposes in each city, a tax sufficient to raise the amount of money apportioned to each city respectively, designating the rate of taxation in each city, and designating the number of cents upon each \$100 assessed valuation of property taxable for district purposes in each city. Certified copies of the ordinance levying such tax and fixing the rate of taxation in each city shall, on or before the 30th day of August of each year, be transmitted to the auditor of each county wherein said district or any part

thereof shall lie.

(j) On or before the 15th day of August of each year, it shall be competent for any city within any metropolitan water district incorporated hereunder to file with the controller of the district a copy of its ordinance duly certified electing to pay at a time or times therein set out the amount or any part or percentage thereof which would otherwise be raised by taxes levied upon property within the city as such amount shall be determined. Such ordinance shall be presented to the board of directors at the time of said hearing and, if approved by the board the rate of taxation for district purposes in the city filing such ordinance, shall be so fixed that the aggregate of moneys derived from payments to be made pursuant to such ordinance and the moneys to be derived from taxation of property within such city for district purposes shall not exceed the amount finally apportioned thereto as herein provided, but if any

fraction of a cent occur it must be taken as a full cent on each \$100. (k) Upon receipt by the auditor of each county wherein such district or any part thereof shall lie of a certified copy of the controller's statement or the ordinance of the board of directors as the case may be fixing the tax rate upon the various cities and a statement of the cities to be exempted therefrom, if any, it shall be the duty, of the county officers to collect taxes for the benefit of the district at the rate specified as herein provided. The taxes so levied shall be computed and collected at the time and in the manner required by law for the computation and collection of taxes for county purposes, and the property subject to such tax shall be subject to the same penalties for delinquency and the same provisions for [sic] law relating to the sale of property for nonpayment of county taxes and redemption thereof shall apply to the tax herein authorized. When so collected, such taxes shall be paid over to the treasury of the district, subject to the deduction herein authorized.

In consideration of services rendered hereunder, any county shall annually be entitled to deduct and withhold an amount not exceeding 1 per cent on the first \$25,000 collected hereunder, and one-fourth of 1 per cent of any amount in excess of \$25,000 collected hereunder. The board of supervisors of each such county may provide such extra help as in their judgment may be necessary

for the proper performance of duties hereunder.

(1) Whenever any real property situated in any district organized hereunder and upon which a tax shall have been levied, as herein provided, shall be sold for taxes and shall be redeemed, the money paid for such redemption, except advertising costs, shall be apportioned and paid in part to such district in the proportion which the tax due to such district shall bear to the total tax for which such property shall have been sold. All taxes levied under the provisions of this act shall be a lien upon the property upon which levied, and the enforcement of the collection of such tax shall be had in the same manner and by the same means as is or shall be provided by law for the enforcement of liens for State and county taxes, and all of the provisions of law relating to the enforcement of such taxes are hereby made a part of this act so far as

m) Cities, the areas of which are included within water districts incorporated hereunder, are hereby authorized to pay to such districts, out of funds derived from the sale of water or other funds not appropriated to some other use, such amounts as may be determined upon by the governing bodies thereof, respectively. Such payments may be made in avoidance of taxes as herein provided, or otherwise, and shall not be deemed gratuitous or in the nature of gifts, but shall be deemed payments for water or services in connection with the distribution of water. Any city making any such payment to any district

incorporated hereunder, whether in avoidance of taxes or otherwise, shall receive credit therefor and the amount of the payment so made by any city shall be deducted from the amount of taxes which would otherwise be levied against property lying therein as herein provided. In the event that payment so made by any city shall exceed the amount of taxes which would otherw'se have been levied against property within such city, the amount of such excess without interest shall be carried over and applied in reduction of taxes levied, or which would otherwise have been levied during the ensuing year or years. Any city which shall have incurred expenses in preliminary work in preparing for the incorporation of or in the incorporation of any district hereunder, or in the investigation of or preliminary work upon any works or project taken over by the district, may certify the amount thereof without interest to the board of directors of the district, and if allowed by the board such amount shall be credited to the city incurring the same and shall be considered as a payment of money made as herein provided. Such certification and allowance shall be made on or before the first Monday of July, and the amount of money to be raised by taxation shall be computed with reference to the credit to be allowed as herein provided.

(n) If any city shall fail to comply with the terms of the order relating to payments to be made to the district in lieu of taxation, the amount of the delinquency plus a penalty of 10 per cent shall be added to the taxes to be collected during the ensuing fiscal year, and thereafter for a period of two years no order or ordinance shall be sufficient to exempt the property in said city from taxation hereunder unless it be accompanied by payment in cash of the amount which would otherwise be collected from the owners of property within the city, together with all moneys due but unpaid under any previous

order.

SEC. 9. Annexation to the territory of any district organized hereunder may

be effected by either of the following methods:

(a) Whenever any area shall be annexed to or consolidated with any city, the area of which shall be a part of any district organized hereunder, such annexed or consolidated area shall by virtue of its annexation or consolidation to such city become and be a part of such district and shall be taxable equally with other parts of such district to pay the indebtedness of the district out-

standing at the time of such annexation or consolidation.

(b) The governing or legislative body of any municipality may apply to the controller of any metropolitan water district for a statement showing the amount of the bonded and other indebtedness of the district, the assessed value of the taxable property therein according to the most recent assessment, and the names of all municipalities the areas of which are included within the district, and it shall thereupon be the duty of the controller to furnish such information to the applicant. After consideration of such statement the governing body of such municipality may apply to the board of directors of such metropolitan water district for consent to annex such municipality to the metropolitan water district. The board of directors may grant or deny such application and in granting the same may fix the terms and conditions upon which such city may be annexed to and become a part of the metropolitan water district, to the end that equal burdens, including bonded debt, and equal benefits may be extended to all parts of the district. The action of the board of directors evidenced by order made on motion shall be promptly transmitted to the governing body of such applying city, which governing body may thereupon submit to the qualified electors of such city, at any general or special election held therein, the proposition of such annexation subject to the terms and conditions fixed as herein provided. Notice of such election shall be given by posting or publication; when given by posting such notice shall be posted at least 10 days and in three public places in the city; when given by publication such notice shall be published once at least 10 days before the date fixed for the election in a newspaper of general circulation published in the city. Such notice shall contain the substance of the terms and conditions fixed by the board of directors as herein provided. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for municipal elections in such city. If such proposition shall receive the affirmative vote of a majority of electors of such city voting thereon at such election, the governing body of such municipality shall certify the result of such election on said proposition to the board of directors of said district and a certificate of proceedings hereunder shall be made by the secretary of the district and filed with the secretary of state. Upon the filing thereof in the office of the secretary of state, such municipality shall become and be an integral part of such water district, and the taxable property therein shall become taxable for the payment of bonds and other obligations of such district in accordance with the terms and conditions fixed by the board of directors as herein provided.

SEC. 10. Any municipality whose corporate area has become or is a part of any

water district may withdraw therefrom in the following manner:

The governing body of any such municipality may submit to the electors thereof at any general or special election the proposition of withdrawing from any water district incorporated thereunder. Notice of such election shall be given in the manner provided in subdivision (b) of section 9 hereof. Such election shall be conducted and the returns thereof canvassed in the manner provided by law for the conduct of municipal elections in said city. In the event that the majority of the electors voting thereon vote in favor of such withdrawal, the result thereof shall be certified by the governing body of such municipality to the board of directors of the district. A certificate of the proceedings hereunder shall be made by the secretary of the district and filed with the secretary of state, and upon the filing of such certificate the area of the municipality so withdrawing shall be excluded from the said water district, and shall no longer be a part thereof: Provided, however, That the property within the said municipality as it shall exist at the time of such exclusion shall continue taxable for the purpose of paying said bonded and other indebtedness outstanding at the time of such exclusion and until such bonded or other indebtedness shall have been satisfied.

Sec. 11. No director or any other officer of the district shall in any manner be interested, directly or indirectly, in any contract awarded or to be awarded by the board of directors, or in the profits to be derived therefrom; and for any violation of this provision such officer shall be deemed guilty of a misdemeanor, and such conviction shall work a forfeiture of his office, and he shall be punished by a fine not exceeding \$500 or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment.

SEC. 12. Every incumbent of any office of a metropolitan water district formed hereunder shall be subject to recall by the voters of such metropolitan water district, in accordance with the recall provisions of the general laws of the State with reference to county officers.

Sec. 13. All matters and things necessary for the proper administration of the affairs of said district which are not provided for in this act shall be pro-

vided for by the board of directors of the district by ordinance.

Sec. 14. The fiscal year of any metropolitan water district incorporated hereunder shall commence on the first day of July of each year and shall continue until the close of the thirtieth day of June of the year following. As promptly as shall be possible after the close of each fiscal year, it shall be the duty of the controller of the district to prepare and transmit to the chief executive officer of each municipality, the area of which shall lie within the district, a statement of revenues and expenditures in such detail as shall be prescribed by the board of directors; also a statement of the amount of water stored by the district and the amounts used by the respective cities the areas of which shall lie within the district.

SEC. 15. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

County Waterworks Districts—Formation and Enlargement—Bonded Indebtedness—Powers of County Boards of Supervisors. (Ch. 688, Act May 20, 1927)

[This act amends sections 1, 2, and 5 (all as amended by ch. 623, laws, 1915) of and adds sections $8\frac{1}{2}$, $8\frac{1}{4}$, $13\frac{1}{2}$, and $14\frac{1}{2}$ to chapter 370, laws, 1913, to read as follows:

Section 1. Any portion of a county containing unincorporated territory, or containing the whole or any portion of one or more incorporated cities and contiguous unincorporated territory, and not included in a county irrigation district or county waterworks district, may be formed into a county waterworks district, and provision made for the purpose of supplying the inhabitants of such district with water for either irrigation, domestic, and fire-protection purposes or for any or all of said purposes, both in the manner and under the proceedings hereinafter described.

SEC. 2. A petition for the formation of such county waterworks district may be presented to the board of supervisors of the county in which the proposed district is located, which petition shall be signed by not less than 25 per cent of the freeholders resident within the proposed district, and shall contain:

(1) The name and boundaries of the proposed county waterworks district

to be benefited by the said improvement.

(2) A general description of the improvement desired for the purpose of supplying the inhabitants of such district with water, and which may embrace any or all of the following: The acquisition, construction, installation, completion, extension, repair, or maintenance of waterworks, structures, and appliances, and the acquisition, by purchase, condemnation, contract, lease, or otherwise, of lands, rights of way, water, water-rights, and water service, necessary or convenient for such purpose.

(3) An estimate of the cost of the proposed improvement and of the inci-

dental expenses in connection therewith.

(4) A request that an election be called in said district for the purpose of submitting to the qualified voters thereof the proposition of forming such district and incurring indebtedness by the issuance of bonds of such district to pay the cost and expenses of the proposed improvement or such part thereof as may be set forth in such request. Such petition must be accompanied by a map showing the exterior boundaries of the proposed district, with relation to the territory immediately contiguous thereto, and contain a general description of the proposed improvement. There shall also be filed with said petition a good and sufficient undertaking, to be approved by the board of supervisors, in double the amount of the probable cost of forming such district, conditioned that the sureties shall pay said cost, in case the formation of such district shall not be effected. The failure of said petition to contain any of said matters or things aforesaid shall not affect the legality of the organization of such dis-

trict if the same shall thereafter be organized.

Sec. 5. The board of supervisors shall, by ordinance or resolution adopted at a regular or special meeting thereof after having acquired jurisdiction to proceed, as provided above, provide for and order the holding of a special election in such proposed county waterworks district and the submission to the qualified voters thereof of the proposition of forming such district and incurring a gebt by the issuance of bonds of such district for the purposes set forth in said petition if a bonded indebtedness is to be incurred therefor or for any part thereof. The ordinance or resolution calling such special election shall also recite the objects and purposes for which the proposed indebtedness is to be incurred, the estimated cost of the proposed improvement, the amount of the principal of the indebtedness to be incurred therefor, and the rate of interest to be paid on said indebtedness and shall fix the date on which said special election shall be held, the manner of holding the same, and the manner of voting for or against said proposition. The maximum rate of interest to be paid on such indebtedness shall be 8 per cent per annum, payable semiannually.

Sec. 81/2. As soon as the board of supervisors may authorize the issuance and sale of such bonds it, or any holder of title or evidence of title, may, in order to determine that said bonds are or will be when sold a legal obligation of the district, institute a proceeding therefor in the superior court of the county in which the district was organized by filing with the clerk of said county a complaint setting forth that on a date therein named bonds of said district were by said board of supervisors authorized to be issued and sold. and with sufficient details to identify the same, and stating the amount of such bonds, and praying that such bonds be adjudged to be a valid legal obligation of such district. The summons in such proceeding shall be in such form as said court may direct and shall be served by publishing a copy thereof once a week for four weeks in some newspaper of general circulation published in each county in which any of the lands contained in said district are located. Within 30 days after the last publication thereof shall have been completed and proof thereof filed with the court, any person interested may appear and answer said complaint, in which case said answer shall set forth the facts relied upon to show the invalidity of said bonds. If no answer shall be filed within said time, the court must render judgment therein decreeing the validity of said district and of such bonds. If an answer be filed the court shall proceed as in other civil cases. Said proceeding is hereby declared to be a proceeding in rem and the judgment rendered therein shall be conclusive against all persons whomsoever and against the State of California.

SEC. 834. Whenever the board of supervisors deem it necessary for the district to incur a bonded indebtedness in addition to that incurred at the time of the formation of the district for any of the purposes of the district, said board shall, by resolution, so declare and state the proposition to be submitted to the electors, the purpose for which the proposed debt is to be incurred, the amount of the debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years, and the maximum rate of interest to be paid, which shall not exceed 8 per cent per annum, payable semiannually. The board of supervisors shall then fix a date upon which an election shall be held for the purpose of authorizing said bonded indebtedness to be incurred, and shall proceed with said election in accordance with section 6 of this act, and the provisions of said section shall govern as to the conduct of the election and all matters pertaining thereto. If at such election a majority of the votes cast are in favor of the incurring of such bonded indebtedness, then said board shall enter an order to that effect upon its minutes, and said board shall thereupon be authorized and empowered to issue the bonds of said district for the amount voted, payable out of the funds of the district to be provided, as in this section prescribed.

The provisions of this act contained in sections 7, 8, 8½, and 9 relating to the form of bonds, the issuance and sale of bonds, the validation thereof, and the levying of a tax for the principal and interest thereof shall apply in like man-

ner to bonds voted and issued as in this section provided.

Sec. 13½. The board of supervisors shall have power, except in incorporated cities or towns, to order and contract for any of the work and the acquisition of any of the property contemplated to be done or authorized to be acquired under this act, and to provide by such order that the cost thereof shall be borne

by a district as ordered by four-fifths of the members of said board.

Sec. 14½. Any portion or portions of a county containing unincorporated territory, or containing the whole of any portion of one or more incorporated cities and contiguous unincorporated territory, and not included in a county irrigation district or a county waterworks district, may be added to any county waterworks district organized under the provisions of this act, at any time, in the manner herein prescribed.

The holder or holders of title, or evidence of title, to one-half or more of the lands sought to be added may file with the board of supervisors a petition in writing praying that said lands be added to the district. The county assessment roll of the county in which the lands sought to be added are situated, which assessment roll has been last equalized at the time the petition is filed, shall be conclusive evidence as to the holders of title or evidence of title to

said lands.

The petition, which may consist of any number of separate instruments, shall set forth and describe the boundaries of the proposed addition, or additions, and pray that the lands within such boundaries be added to the district. A certificate of acknowledgment taken before a notary public or justice of the peace of any State, or an affidavit by any person in the presence of whom the petition was signed, shall be sufficient evidence of the genuineness of the signature, or

signatures, and the fact of place of residence of each petitioner.

Upon the filing of said petition, the board of supervisors shall set a time for the hearing thereof, which shall be not less than 15 and not more than 30 days from the date the petition is filed. Notice of the filing of said petition shall be given by the clerk of said board by publishing at least once a week for at least two weeks in a newspaper printed, published, and circulated in the county in which the district is situated a notice that the petition has been filed, giving the time set for the hearing thereof, and that the petition, together with all written protests filed with said clerk prior to the time set for said hearing, will be heard and passed upon at that time, and that all persons interested therein may then appear and be heard. Said notice shall also contain the text of the petition, but not more than five of the names attached thereto need be published: *Provided*, The number of the total of said names is stated.

At the time fixed for the hearing the board of supervisors shall hear the petition, together with such written protests as shall have been filed as herein provided, by or on behalf of the owners of taxable property situated within the district, or within the proposed addition thereto, and may adjourn such

hearing from time to time, not exceeding four weeks in all.

No defect in the contents of the petition or in the notice, or publication of the notice, shall vitiate any proceedings thereon: *Provided*, Such petition, or petitions, have a sufficient number of qualified signatures attached thereto.

At said hearing said board may make such changes in the proposed boundaries of the territory sought to be added as may be deemed advisable, but said board shall not modify said boundaries so as to exclude any territory which in its

opinion will be benefited by being added to the district. Upon such hearing of said petition said board shall find as to the sufficiency of said petition, and its decision thereon shall be final and conclusive.

At the expiration of the time at which protests may be filed, if none be filed, or if protests be filed and after hearing be denied, then said board shall be deemed to have acquired jurisdiction to further proceed, and the board may grant the petition, in whole or in part, and shall fix the boundaries of the territory sought to be added, and shall, by resolution or ordinance, after having acquired jurisdiction to proceed, provide for and order the holding of a special election in said district and in said proposed addition, to determine whether or not the territory in said proposed addition shall be added to the district. At such election the proposition to be submitted shall be: "Shall the territory described in the resolution of the board of supervisors, adopted on the day of _____, 19___, be added to _____ county waterworks district No. ____?" For the purposes of said election, said board shall in said resolution ____, 19____, be added to _____ county waterworks district No. or ordinance establish one or more precincts within the boundaries of said county waterworks district, and one or more precincts within the boundaries of the territory sought to be added thereto, designate a polling place, and appoint one inspector, one judge, and one clerk for each such precinct. In all particulars not recited in such resolution or ordinance, such election shall be held as provided by law for holding general elections in such county. Such resolution or ordinance ordering the holding of said election shall, prior to the date set for said election, be published five times in a daily, or twice in a weekly or semiweekly newspaper of general circulation, printed and published in such county and designated by said board for said purpose. No other notice of said election need be given. If at such election a majority of the votes cast in the district then existing and a majority of the votes cast in the territory sought to be added thereto are in favor of such addition, the board shall enter an order to that effect upon its minutes, declaring said territory added to the district, and from and after the date of such order such territory shall be deemed added to and shall form a part of said district, subject to all the rights, privileges, powers, and responsibilities set forth in this act and necessarily

If, in the judgment of the board of supervisors, it is deemed necessary, because of the lack of sufficient moneys in the funds of the district to provide adequate water, construct necessary plants and distributing systems, or properly serve the territory sought to be added, or for any other reason, to make the addition of the new territory, conditional upon the voting and issuance of additional bonds, said board may, in its resolution or ordinance granting the petition, or a part thereof, and calling an election upon the proposition of adding new territory to the district, order that said election shall be upon the joint proposition of adding new territory and of incurring an indebtedness by the issuance of bonds of the district as the same will exist if the new territory sought to be added is added thereto. Said ordinance or resolution shall state the purpose for which the proposed debt is to be incurred, the amount of the debt to be incurred, the maximum term the bonds proposed to be issued shall run before maturity, which shall not exceed 40 years and the maximum rate of interest to be paid, which shall not exceed 8 per cent per annum, payable semi-annually. The proposition to be voted upon in such event shall be: "Shall the territory described in the resolution of the board of supervisors adopted on the _, 192__, be added to _____ _ county waterworks district No. ____, and shall said district, as the same will exist after the addition of said territory, incur a bonded indebtedness in the sum of _ dollars (\$----) for the purpose of (stating the purposes for which the amount so raised is to be used)?" Notice of said election and all matters in connection with said election shall be given and conducted in the manner hereinbefore provided, where the proposition is to be upon the sole question of the adding of new territory. If at such election a majority of the votes cast in the district then existing and a majority of the votes cast in the territory sought to be added thereto are in favor of said proposition of adding new territory and of incurring such bonded indebtedness, then the board of supervisors shall enter an order to that effect upon its minutes, declaring said new territory added to the district, and from and after the date of such order such territory shall be deemed added to and shall form a part of said district subject to all the rights, privileges, powers, and responsibilities set forth in this act and necessarily incident thereto and said board shall thereupon be authorized and empowered to issue bonds of said district, (as the same will exist after the addition of such new territory), for the amount voted upon at said election.

The provisions elsewhere in this act made for the form of bonds, issuance and sale of bonds, the levying and collecting of taxes for the payment thereof and of other matters relating to bonds of the district shall govern in the case of such bonds.

Sewer Maintenance Districts—Formation, Government, Powers, Maintenance, Dissolution, Diminution, and Enlargement. (Ch. 642, Act May 19, 1927)

SECTION 1. Any portion of the unincorporated territory of a county wherein lateral or collecting sanitary sewers have been installed, for the maintenance and repair of which provision is not otherwise made, may be formed into a sewer maintenance district under the provisions of this act. The board of supervisors of any county may determine by resolution that any portion of the unincorporated area of said county not already included within a sewer maintenance district is in need of sewer maintenance and should be formed into a sewer maintenance district. Thereupon said board of supervisors shall fix a time and place for the hearing of the matter of the formation of such sewer maintenance district and shall direct the clerk of said board to publish a notice, once a week for two successive weeks in the newspaper of general circulation circulated in the territory which it is proposed to organize into such sewer maintenance district which said board deems most likely to give notice to the inhabitants thereof, of the proposed formation of such district. board shall also direct the clerk to cause said notice to be posted in three public places of said territory at least 10 days prior to the date set for such hearing. Said notice shall be headed "Notice of the proposed formation - sewer maintenance district," (stating the name of the proposed district), which heading in said notice as posted shall be in letters of not less than 1 inch in height. Said notice as published and posted shall state the fact that the board of supervisors of said county has fixed the time and place (which shall be stated in said notice for a hearing on the matter of the formation of a sewer maintenance district. Said notice shall set forth the exterior boundaries of the territory proposed to be organized into a sewer maintenance district.

SEC. 2. At any time prior to the time fixed for the hearing of said matter any person interested may file with the clerk of the board written objections to the formation of the district. At the time and place fixed for the hearing or at any time to which said hearing may be continued, the board of supervisors shall consider all written objections filed and shall pass upon the same. If the board overrules said objections it shall hear any person having objection to the inclusion within said proposed district of any territory and may upon such hearing exclude any territory therefrom which would not be benefited by inclusion within the district. At the conclusion of the hearing the board of supervisors may by resolution abandon the proposed establishment of a sewer maintenance district or it may establish said district, and fix and define the boundaries thereof either as set forth in said notice or as modified upon said hearing, provided that the boundaries shall not be so changed as to include any territory outside of the boundaries described in the notice.

Sec. 3. The clerk of the board of supervisors shall file in the office of the county assessor a certified copy of each resolution establishing a sewer maintenance district and shall also file with the county assessor a certified copy of each resolution of the board of supervisors made pursuant to the provisions of sections 7, 8, and 9 of this act. The county assessor shall thereafter in making up the assessment roll segregate thereon the property included within each

sewer maintenance district.

Sec. 4. The board of supervisors of any county wherein any sewer maintenance district is established shall be the governing body thereof and shall have the power to make and enforce all rules and regulations necessary for the administration and government of such district and for the cleaning, repair, reconstruction, renewal, replacement, operation, and maintenance of lateral and collecting sewers therein; to acquire by gift, condemnation, purchase, or otherwise in the name of the county and to own, control, manage, and dispose of personal property necessary or convenient for such purposes and to perform all of the acts necessary or proper to accomplish the purposes of this act.

SEC. 5. The board of supervisors may appoint the county surveyor to supervise the work of cleaning, repairing, reconstructing, renewing, replacing, operating, and maintaining such sewers and their appurtenances and may enter into contracts for the purchase of water to be used in flushing such sewers.

Sec. 6. The board of supervisors shall have power to levy a tax in each year upon the taxable property in each sewer maintenance district sufficient to defray the cost of maintaining, operating and repairing the sewers in said district and of the maintenance of said district and to meet such other expenditures as are authorized by this act in connection therewith. Such tax shall be levied and collected at the same time and in the same manner as general county taxes levied for county purposes and when collected shall be paid into the county treasury to the credit of the maintenance fund of such district and

shall be used only in furtherance of the purposes of this act.

Sec. 7. Any such sewer maintenance district may be dissolved by the board of supervisors as in this section provided. Upon receiving a petition signed by 50 or more freeholders and residents of such district, or by a majority of such freeholders and residents if there are less than 300 freeholders and residents in such district, requesting the dissolution of such district, the board of supervisors shall fix a time for the hearing of such petition, which shall not be less than 15 days nor more than 30 days after the receipt thereof, and shall at least 10 days prior to the time so fixed publish a notice of such hearing by one insertion in a newspaper circulated in such district. At the time appointed for said hearing or at any time to which the same may be continued, the board of supervisors shall hear and pass upon such petition and may grant or deny the same, and its decision thereon shall be final and conclusive. If such petition shall be granted, the board of supervisors shall by resolution order the dissolution of such district and such district shall thereupon be dissolved, and the property of such district shall remain the property of the county in which such district is located.

Sec. 8. Any portion of a sewer maintenance district which will not be benefited by remaining within such district may be withdrawn therefrom as in this section provided. Upon receiving a petition signed by 50 or more freeholders within the portion desired to be withdrawn from any sewer maintenance district, or by a majority of such freeholders, if there are less than 100 freeholders within the portion sought to be withdrawn, requestion the withdrawal of such portion from the district on the ground that such portion will not be benefited by remaining in said district, the board of supervisors shall fix a time for the hearing of such petition and for hearing protests to the continuance of the remaining territory as a sewer maintenance district, which shall not be less than 15 days, nor more than 30 days after the recepit thereof. The said board shall, at least 10 days prior to the time so fixed, publish a notice of such hearing by one insertion in a newspaper circulated in said district, which the board deems most likely to give notice to the inhabitants thereof of the proposed withdrawal.

Any person interested may appear at said hearing and object to the withdrawal of said portion from said district, or may object to the continuance of the remaining territory as a sewer maintenance district, and the board of supervisors shall consider all objections and shall pass upon the same, and if it finds that said portion of the district sought to be withdrawn will not be benefited by remaining within said district, and that the territory not sought to be withdrawn will be benefited by continuing as a sewer maintenance district, then it shall grant said petition, and by resolution establish the boundaries of such district as reestablished after such withdrawal of territory. Upon the withdrawal of any territory from a sewer maintenance district, as in this section provided, all property acquired for the district shall remain vested in the

county and be used for the purpose of the district.

Sec. 9. The boundaries of any such sewer maintenance district may be altered and outlying contiguous territory be annexed thereto in the following manner: A petition signed by 50 or more freeholders within the territory proposed to be annexed, or by a majority of such freeholders if there are less than 100 within the portion proposed to be annexed, designating the boundaries of such contiguous territory proposed to be annexed and asking that such territory be annexed to said sewer maintenance district, shall be presented to the board of supervisors of the county in which said sewer maintenance district is situated.

At their first regular meeting after the presentation of said petition said board of supervisors shall cause notice of the hearing of said petition to be published in a newspaper published and circulated in the territory sought to be annexed, if there be such a newspaper, otherwise, by posting copies of said notice in three conspicuous places in said territory proposed to be annexed, for three weeks prior to the date to be fixed by said board for the hearing of said petition. Upon the date fixed for such hearing, or to which it may be

continued, said board of supervisors shall take up and consider said petition, and any objections which may be filed to the inclusion of any property in said district.

Said board of supervisors shall have the power by resolution to grant said petition either in whole or in part, and to alter the boundaries of said sewer maintenance district and to annex thereto all or such portion of said contiguous territory described in said petition as will be benefitted by inclusion in said sewer maintenance district, and from and after the adoption of said resolution such territory shall become and be a part of such sewer maintenance district, and shall be taxed, together with the remainder of said district, for all taxes to be thereafter levied by said board of supervisors for the operation and maintenance of said sewer maintenance district. No territory which will not be so benefited, or which is not contiguous to said sewer maintenance district, or which is not described in said petition, shall be included in said district.

Sec. 10. This act shall in no way be construed to repeal the provisions of any act providing for the organization of sanitary districts or county sanitation districts nor to authorize the governing body of any sewer maintenance district to manage or control or otherwise interfere with the maintenance or repair of any sewers under the control of a sanitary district or county sanitation

SEC. 11. This act may be designated and referred to as the sewer maintenance district act and any reference thereto by such designation shall be sufficient for all purposes.

County Sanitation Districts—Government, Powers, Enlargement, and Dissolution—Construction of Sewers—Compensation of Directors. (Ch. 229, Act April 22, 1927)

[This act, among other things, amends sections 5 (as amended by ch. 8,10 laws, 1925) and 17 of, and adds sections 4½, 5½ and 23½ to, chapter 250,11

laws, 1923, to read as follows:]

SEC. 5. Such sanitation district shall be governed by a board of directors of not less than three members. The presiding officer of the governing body of each incorporated city, the whole or part of which is included in such district, shall automatically become a member of such board of directors. If unincorporated territory and but one incorporated city or part thereof be included in such district, the presiding officer and one other member of the board of supervisors of the county in which said district is organized shall be members of the board of directors, unless the population of such city or part thereof exceed that of the unincorporated territory included within such district, in which event the presiding officer of such board of supervisors and the presiding officer of the governing body of such city and one other member of such governing body shall constitute such board of directors; but whenever unincorporated territory and two or more cities or parts thereof are included in such district the presiding officer of the board of supervisors of the county in which such district is located shall be a member of such board of directors. In the event such district contains no unincorporated territory, the board of directors thereof shall consist of the presiding officers of the governing bodies of the cities wholly or in part within said district; and in event there be but two cities or parts thereof in such district, one additional member shall be selected from the governing body of each such city. In the event the whole of such district shall be unincorporated territory, the board of supervisors of the county in which the district is organized shall be and constitute such board of directors.

Whenever additional territory becomes annexed to such sanitation district under the provisions of section 4½ of this act, as well as whenever any change takes place in the character of the territory within any sanitation district by the incorporation of a municipality therein or otherwise resulting in a condition which makes it necessary for a change to be made in the membership of the board of directors as hereinbefore specified, then and thereupon such change in the membership of the board of directors shall take place

and become effective immediately thereafter.

The county auditor of the county in which such district is located shall be and is hereby designated as, and empowered to act as, ex officio the

Supplement 59 to Public Health Reports, p. 37.
 Supplement 49 to Public Health Reports, p. 68.

auditor of the district. In governing the district such board of directors shall have the following powers:

(a) To employ such sanitation experts, surveyors, counsel, and other persons as may be needed to carry into effect any of the powers hereinafter given.

(b) To acquire by gift, purchase, condemnation, or otherwise, in the name of the district, and to own, control, manage, and dispose of any real or personal property or interest therein necessary or convenient for the construction and maintenance of, and to construct and maintain within or without the district a sewerage system and sewage disposal or treatment plant: Provided, however, That no such sewage disposal or treatment plant shall be constructed or maintained in any city not within the district, except by consent granted by the unanimous vote of the governing body of such city.

(c) To issue bonds of the district in the manner hereinafter set forth.

(d) To cause to be levied and collected in the manner hereinafter provided an assessment upon all the taxable real property within the district sufficient to meet the obligations evidenced by the bonds and to maintain the works of the district, and to defray all other expenses incidental to the exercise of the powers herein granted.

SEC. 17. It is not the intention of this act that other than main trunk lines of the sewerage system of the district shall be constructed from the proceeds of the sale of bonds of the entire sanitation district as herein authorized, but that the lateral and collecting lines shall be constructed and paid for by the county, cities, or other governmental agencies or districts which may by law be authorized to construct such lateral and connecting lines and provide for the payment thereof. The determination by the board of directors of what are main trunk lines within the meaning of this act shall be final and conclusive.

Connection of lateral or collecting lines to the main trunk line shall be made at points and in the manner to be directed by the engineer of the district under instructions from the board of directors, subject to such terms and conditions as

the board of directors may prescribe.

Sec. 41/2. At any time after the formation of a county sanitation district in the manner hereinabove provided, territory contiguous to said district, whether incorporated or unincorporated, not included in any other county sanitation district or other district formed for similar purposes, may be annexed thereto: Provided, That the board of supervisors shall first find and determine that said territory contiguous to such district will be benefited by such annexation. For the purpose of annexing contiguous territory to any sanitation district the board of supervisors shall proceed in the same manner and under the same provisions hereinabove provided for the formation of a sanitation district in the first instance: Provided, That wherever it is required to set forth the boundaries of the proposed district there shall instead be set forth the boundaries of the territory annexed or proposed to be annexed and wherever protests are called for or authorized or an election is to be held, the provisions relating thereto shall refer only to the territory annexed or proposed to be annexed: And provided further, That before proceedings are commenced by the board of supervisors of the county in which such district is situated for the purpose of annexing any such territory contiguous thereto, a petition signed by 20 or more property owners or by the owners of more than half of the land within such contiguous territory shall be filed with the board of supervisors of said county, which petition shall clearly define the boundaries of the area thus proposed to be annexed: And provided further, That the board of directors of said district shall first, by resolution duly adopted, find and declare that such sanitation district will be benefited by the annexation thereto of such contiguous territory and consent to the annexation of said contiguous territory. Whenever any such contiguous territory shall be so annexed to any county sanitation district it shall thereupon become a part of said district and shall be subject to all the liabilities and entitled to all the benefits of the sanitation district.

SEC. 5½. Each director of such sanitation district shall receive as compensation for his services as such director \$10 for each meeting of the board of directors attended by him, together with expenses necessarily incurred by him in traveling between his place of residence and the place of meeting: Provided, however, That no director shall receive compensation for attending more than

three meetings of the board during any calendar month.

SEC. 23½. Any county sanitation district organized under the provisions of this act, having no bonded indebtedness, may be dissolved upon the vote of a majority of the qualified electors thereof upon an election called by the board of directors upon the question of dissolution: Provided however, That all legal indebtedness of the district shall first have been paid and discharged. The

election on the question of dissolution shall be called and conducted in the same manner as other elections of the district, and the board of directors shall canvass the returns of said election within 30 days after said election is held. If a majority of the votes cast at said election are in favor of the dissolution of said district, then the board of directors shall by resolution so find and declare the district dissolved, and thereupon said district shall be dissolved. A certified copy of said resolution shall, within 15 days after its adoption, be filed with the clerk of the board of supervisors of the county in which such district is situated.

Upon the dissolution of any county sanitation district the property of the district lying within the corporate limits of any city shall vest absolutely in such incorporated city, and the property of the district lying without the corporate limits of any incorporated city shall vest absolutely in the county in

which said district is situated.

If after the dissolution of such district it is found that through oversight or error there remains a legal indebtedness of the district which has not been paid, then it is hereby made obligatory upon the board of supervisors of the county to levy a tax upon the taxable real property within the boundaries of said district as it existed at the time of such dissolution clearly sufficient to meet such indebtedness and interest thereon, if any there be, and to pay the same. Any funds belonging to the district at the time of such dissolution shail be transferred to the incorporated city or cities and the county, as the case may be, in proportion to the assessed valuation of the taxable real property within the city or county, respectively, as the same appears on the equalized assessment roll of the county at the time of such dissolution.

County Sanitation Districts—Joint Administrative Organization Authorized. (Ch. 178, Act April 18, 1927)

[This act adds the following section to chapter 250,12 laws, 1923:1

Sec. 19a. Whenever two or more sanitation districts shall find and declare by resolution adopted by their respective boards of directors that it will be for the interest or advantage of such districts so to do, such sanitation districts, by their respective boards of directors, may enter into an agreement for the maintenance of a centralized and joint administrative organization to care for the general administration of the affairs of each of such districts, and the construction, supervision, operation and maintenance of the work of each of said districts, and for that purpose the said districts may agree to employ the same engineers, surveyors, counsel, and other persons needed to carry out the purposes of this act. Such agreement shall specify the proportionate amount to be paid by each district, party thereto, toward the costs and expenses of such organization and the salaries, wages, or other compensation of all persons employed jointly by such districts, and for the purpose of facilitating the payment of such joint costs, expenses, salaries, wages, or other compensation, such agreement may also provide for the payment by each district, party to such agreement, of its proportionate share of such costs, expenses, salaries, wages or other compensation into the funds of any one of such districts which may be designated for the purpose, and such designated district shall thereafter pay all such costs, expenses, salaries, wages, or other compensation incurred by or to be paid in connection with the maintenance of such joint organization.

Sanitary Districts—Special Tax for Construction of Certain Sewers. (Ch. 160, Act April 15, 1927)

[This act adds the following section to chapter 480,13 laws, 1919:]

Sec. 25½. When an order of the sanitary board shall have been adopted ordering the construction of a sewer in any street, highway, or property or right of way owned by the district where a sewer is not already constructed, after the construction of main sewer, and ordering that the cost thereof be borne by the district, the sanitary board shall have power, when the cost of such sewer does not exceed 2 per cent of the assessed value of the property within said district according to the last equalized roll thereof, to pay such cost from the proceeds of a special tax to be levied by the sanitary board at the regular time of fixing the rate of taxation for such district, which said taxation shall

Supplement 49 to Public Health Reports, p. 68.
 Supplement 42 to Public Health Reports, p. 59.

be in addition to the taxes provided for in section 11 of this act, and such sanitary boards are hereby authorized and empowered to levy and cause to be collected such special tax: Provided, however, That such board shall not be authorized or empowered to levy or cause to be collected the special tax in this section provided for, without first giving notice of intention so to do and according to the owners of land situate within the district an opportunity to protest the same. Such notice shall briefly describe the object for which it is proposed to levy and collect said special tax and shall specify a time and place for hearing of such protests, which said time shall not be less than 20 days from and after the day said notice is posted. The notice shall be posted in not less than 10 public places within the district. At any time before the day in said notice specified for the hearing, any owner of real property within the district may file written objections to the levying of said special tax. If, upon said hearing, it appears that the owners of real property representing 75 per cent or more in value of the real property situate within the district as shown by the last equalized assessment book of the county in which said district is situate have filed written objections protesting the levy of said tax, the board shall have no power or authority to levy the special tax provided for in this section.

Sanitary Districts—Filling of Vacancies in Membership of Sanitary Board. (Ch. 80, Act April 7, 1927)

[This act adds the following section to chapter 171,14 laws, 1923:]

Sec. 7a. Vacancies in the membership of the sanitary board shall be filled for the unexpired term by appointment by a majority of the members of the sanitary board.

Sanitary Districts—Taxes—Construction of Sewers, etc. (Ch. 783, Act May 26, 1927)

[This act amends sections 8, 12, and 25 of, and adds section 13a to, chapter 171, 4 laws, 1923, to read as follows:]

Sec. 8. The sanitary assessor must, between the first Mondays in March and July of each year, assess all taxable property within the district to the persons by whom it was owned or claimed, or in whose possession or control it was at 12 o'clock m. of the first Monday in March next preceding; but no mistake in the name of the owner or supposed owner of such property, or any informality in the description or in other parts of the assessments, shall render the assessment invalid.

The sanitary assessor shall verify his assessment book, and shall deposit the same with the sanitary board on the first Monday in July in each year, or as soon thereafter as is practicable.

All the provisions of law relating to assessment of property by county assessors shall, so far as is applicable, apply to and govern the acts of the sanitary assessor in the assessment of taxable property within the district.

The sanitary assessor shall receive such compensation as shall be fixed by the order of the sanitary board and shall perform such other duties and do such other acts as may be ordered or required by the sanitary board.

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Sec. 12. As soon as practicable, but not later than the third Monday in August, after the taxes have been computed and extended on the assessment list, verified by the assessor and signed by the president and secretary of said board, the board shall transmit, or cause the assessor to transmit, the list so made, or a duplicate thereof, to the tax collector of the county, who shall collect the taxes shown by said list to be due, in the same manner as he collects the county taxes, and all the provisions of the laws of the State as to the collection of taxes and delinquent taxes and the enforcement of the payment thereof, so far as applicable, shall apply to the collection of taxes for sanitary purposes; and said tax collector, and the sureties on his official bond, shall be responsible for the due performance of the duties imposed upon him by this act: Provided, That the sanitary board may, in its discretion, direct the district attorney of the county to commence and prosecute suits for the collection of the whole or any portion of the delinquent taxes; and it shall be the duty of the district attorney to carry out such directions of the sanitary board, and he, and the sureties upon his official bond, shall be responsible for the due performance of the duty imposed upon him by this act.

¹⁴ Supplement 49 to Public Health Reports, p. 73.

All money collected for sanitary purposes by the district attorney under this act shall be at once paid to the county treasurer: *Provided further*, That the sanitary board may, at any time, by order entered in its minutes, provide a system for the collection of delinquent taxes, or make any change in the manner of their collection, which as to such taxes shall have the force of law.

Sec. 13a. In lieu of the method herein provided for the assessment of all taxable property within the district, the sanitary board may elect to avail itself of the assessment made by the assessor of the county in which the district is situated, and may take such assessment as the basis for district taxation: Provided, That the sanitary board shall declare its said election by resolution and file a certified copy thereof with the auditor and the assessor of the county in which the district is situated on or before the first Monday in February of the year the district proposes to use such assessment; thereafter all assessments shall be made and taxes collected by the county assessor and tax collector of the county in which the district is situated until the sanitary board, by resolution, elects otherwise. The said county auditor must on or before the second Monday in August of each year transmit to the sanitary board a statement in writing showing the total value of all property within the district, which value shall be ascertained from the assessment book of the county for that year, as equalized and corrected by the board of supervisors of such county. the sanitary board shall so elect, as hereinabove provided, it shall, on the third Monday in August, or if such day falls upon a holiday, then upon the first business day thereafter, fix the rate of taxation for sanitary purposes and for the payment of the principal and interest of such year upon outstanding bonds and the payment of the principal and interest that the sanitary board believes will become due during such year on bonds authorized but not sold, designating the number of cents on each \$100 to be levied for each fund and the fund into which the same shall be paid, using as a basis the value of property as assessed by the county assessor and so returned to such sanitary board by the county auditor as hereinabove provided; said acts of said sanitary board are declared to be a valid assessment of such property and a valid levy of such taxes so fixed. The sanitary board must immediately thereafter transmit to the county auditor of the county in which the district is situated a statement of such rate so fixed by the sanitary board.

The said auditor must then compute and enter in a separate column in the county assessment book the respective sums to be paid as a sanitary district tax on the property enumerated and assessed as being in said district, using the rate of levy as fixed by the sanitary board of said district and the assessed value as found in such assessment book. Such taxes so levied shall be collected at the same time and in the same manner and form as county taxes are collected, and when collected shall be at once paid to the county treasurer. Such taxes shall be a lien on all the property in the sanitary district, and said taxes, whether for the payment of a bonded indebtedness, or for other purposes, shall be of the same force and effect as other liens for taxes, and their collection shall be enforced by the same means as provided for the enforcement of liens

for State and county taxes.

SEC. 25. Whenever in the opinion of the sanitary board the public interest or convenience may require, it is hereby authorized and empowered, except in incorporated cities or towns ,to order the construction of sewers and appurtenances in the whole or any portion or portions of any one or more of the streets, highways, or public places of any such sanitary district, or in property or in rights of way owned by such sanitary district, and to provide that the cost thereof shall be assessed upon the lots and lands fronting thereon or upon a district to be assessed therefor. The provisions of * * * [chapter 397, laws, 1911] and the amendatory acts thereto, and the provisions of * * * [chapter 733, laws, 1915] and acts amendatory thereto, are hereby made applicable to sanitary districts. All proceedings shall be had in accordance with the provisions of said acts and the amendments thereto: Provided, however, That the words "city council" and "council" used in said acts shall be understood to mean sanitary boards. The words "city" and "municipality" shall be understood to mean sanitary districts. The words "clerk" and "city clerk" shall be understood to mean "secretary" of the sanitary board. The words "superintendent of streets" and "street superintendent" and "city engineer" shall be understood to mean the engineer of such "sanitary district," "tax collector" shall be understood to mean the county tax collector, and the terms "treasurer" and "city treasurer" shall be understood to mean any person or official who shall have charge of and make payment of the funds of such sanitary district. The term "right of way" shall mean any parcel of land through which a right of way has been granted to the sanitary district for the purpose

of constructing and maintaining a sewer therein: And provided further, That all the powers and duties conferred by the said provisions of said acts and acts amendatory and supplementary thereto upon city councils, superintendents of streets, clerk and city clerks, tax collectors, and treasurers, and engineers are hereby conferred and imposed upon the respective officers and board above specified.

Sanitary Districts-Enlargement. (Ch. 81, Act April 7, 1927)

[This act adds the following section to chapter 171,16 laws, 1923:]

Sec. 27a. Territory contiguous to a sanitary district and being in the same county as such district may be annexed to said sanitary district in the manner following: A petition signed by the owners of real property in said contiguous territory, which real property represents at least 75 per cent of the total assessed valuation of said contiguous territory as shown by the last equalized assessment book of the county in which said sanitary district is situated, designating specifically the boundaries of such contiguous territory and the assessed valuation thereof as shown by said last equalized assessment book and showing the amount of real property owned by each of said petitioners and the assessed valuation thereof as shown by the last equalized assessment book of the county in which said real property is situated and stating that such territory is not within the limits of any other sanitary district and asking that such territory be annexed to such sanitary district, shall be presented to the sanitary board of said district. The petition must be verified by the affidavit of one of the petitioners and must be published at least two weeks preceding the hearing thereof by the sanitary board, in a newspaper of general circulation published in the sanitary district, if there be one, and if not, in a newspaper of general circulation published in the county in which said sanitary district is situated, together with a notice stating the time when said petition will be presented to said sanitary board, and that all persons interested therein may appear and be heard. At such time the sanitary board shall hear said petition and any person interested therein, and may adjourn such hearing from time to time. Upon the hearing of said petition the sanitary board shall have the power to determine whether or not it is for the best interests of said sanitary district and said contiguous territory that said territory be annexed to said district and said sanitary board shall have the power to modify the boundaries of such contiguous territory proposed to be annexed as set forth in said petition; Provided, however, Said sanitary board shall not modify the boundaries of such contiguous territory proposed to be annexed as set forth in said petition so as to exclude therefrom any land which will be benefited by the annexation of such territory to said sanitary district, nor shall any land which will not in the judgment of said sanitary board be benefited by annexation to said district be included within the boundaries of the territory proposed to be annexed. If the sanitary board upon final hearing shall determine that it is for the best interests of said sanitary district and the territory proposed to be annexed that said territory be annexed, it shall make an order describing the exterior boundaries of the contiguous territory proposed to be annexed and shall thereupon present to the board of supervisors of the county in which said sanitary district is situated a petition setting forth the proceedings theretofore taken for the annexation of said territory and the finding of said sanitary board and requesting said board of supervisors to annex said contiguous territory to said sanitary district.

Said board of supervisors shall, at its next regular meeting, after the presentation of said petition, by an order alter the boundaries of said sanitary district and annex thereto the contiguous territory described in the petition of said sanitary board and said contiguous territory shall thereupon become and

be a part of such sanitary district.

Garbage-Disposal Districts—Formation, Government, Powers, Duties, Maintenance, Dissolution, Diminution, and Enlargement. (Ch. 213, Act April 20, 1927)

Section 1. Any portion of a county or city and county, whether said portion includes incorporated or unincorporated territory, in the State of California, may be formed into a garbage-disposal district in the manner and under the proceedings hereinafter set forth: *Provided*, *however*, That less than the whole of any incorporated city shall not be included in such district except by unanimous consent of the governing body of such city.

¹⁶ Supplement 49 to Public Health Reports, p. 73.

Sec. 2. The board of supervisors of any county or city and county may determine by resolution that a portion of said county or city and county, whether the same includes incorporated or unincorporated territory, is in need of facilities for the disposal of garbage and should be formed into a garbagedisposal district. Thereupon said board of supervisors shall fix a time and a place for a hearing on the matter of the formation of such garbage-disposal district, which time shall be not less than three weeks after the adoption of such resolution, and shall direct the clerk of said board to publish a notice once a week for three successive weeks in a newspaper circulated in the territory which it is proposed to organize into a garbage-disposal district, and which said board deems most likely to give notice to the inhabitants thereof of the proposed formation of such district. Said notice shall state the fact that the board of supervisors of said county or city and county has fixed the time and place, which shall be stated in said notice, for a hearing on the matter of the formation of a garbage-disposal district. Said notice shall describe the territory or shall specify the exterior boundaries of the territories of the territory [sic] proposed to be organized into a garbage-disposal district, which said boundaries so far as practicable shall be the center lines of highways.

SEC. 3. At any time prior to the time fixed for a hearing of said matter, any person interested may file with the clerk of the board written objections to the formation of said district. At the time and place fixed for the hearing or at any time to which said hearing may be continued, the board of supervisors shall consider all objections to the creation of the district, or to the extent thereof, and shall pass upon the same. At such hearing, the board of supervisors may exclude any territory which in the opinion of the board would not

be benefited by incorporation within said district.

Sec. 4. At the conclusion of said hearing, the board of supervisors shall either adopt an order abandoning the creation of the proposed district or shall by resolution order the matter of the creation of said district within the boundary lines determined upon at said hearing to be submitted to the electors of the district at an election to be called for that purpose. At such election only qualified, registered electors shall be permitted to vote. Election precincts shall be established by the board and election boards composed of 1 inspector, 1 Judge, and 1 clerk shall be named. At least one week prior to the election notice of the election shall be given by publication in a newspaper of general circulation in the proposed district. In other matters the election shall be conducted in the manner ordered by the board of supervisors. If at such election a majority of those voting upon the question of creation of said district, and a majority of those voting thereon in each municipality, or part thereof, were favorable thereto, the board of supervisors shall make an order forming the district and thereupon the same shall be formed. Such order must contain the name of the district, and a description of the boundaries, or otherwise indicate the territorial extent thereof. Such order shall be conclusive evidence of the regularity of all proceedings prior thereto, except the adoption and publication in full of the resolution of intention and of the fact of the hearing held thereunder.

SEC. 5. The board of supervisors of any county or city and county wherein any garbage-disposal district is established shall be the governing body thereof and shall have the power to make and enforce all rules and regulations necessary for the administration and government of such district, and for the collection and disposal of garbage and other refuse matter therein; to appoint agents and employees for such districts sufficient to maintain and operate the property acquired for the purposes of the district; to acquire by gift, purchase, condemnation, or otherwise, in the name of the county, and to own, control, manage, and dispose of any real or personal property, or interest therein, necessary or convenient for the collection and disposal of the garbage or other refuse matter of said district and to perform all of the acts necessary or proper to

accomplish the purposes of this act.

SEC. 6. The title of all property which may have been acquired for a garbage-disposal district created under the provisions of this act shall be vested in the county or city and county wherein such garbage-disposal district is located. Whenever all of the territory in such garbage-disposal district shall be annexed or otherwise included within any municipal corporation, then such garbage-disposal districts shall be deemed dissolved and such property shall thereupon become the property of such municipal corporation. All money in the county treasury to the credit of such garbage-disposal district shall upon the annexation or inclusion of such district as above noted be forthwith transferred to the

treasury of such municipal corporation and be used for the purpose for which the same was available prior to such transfer and none other.

SEC. 7. The board of supervisors shall levy a tax each year upon the taxable property in each garbage-disposal district sufficient to defray the cost of the disposal of garbage and other refuse in said district, and of the maintenance of said district, and to meet such other expenditures as are authorized by this act in connection therewith. Such tax shall be levied and collected at the same time and in the same manner as general county taxes levied for county purposes and when collected shall be paid into the county treasury and shall be used

in furtherance of the purposes of this act.

SEC. 8. Any such garbage-disposal district may be dissolved by the board of supervisors as in this section provided. Upon receiving a petition signed by 50 or more freeholders and residents of such district, or by a majority of such freeholders and residents if there are less than 300 freeholders and residents in such district, requesting the dissolution of such district, the board of supervisors shall fix a time for the hearing of such petition, which shall not be less than 10 days nor more than 30 days after the receipt thereof, and shall, at least a week prior to the time so fixed, publish a notice of such hearing by one insertion in a newspaper circulated in such district. At the time appointed for said hearing or at any time to which the same may be continued, the board of supervisors shall hear and pass upon such petition and may grant or deny the same, and its decision thereon shall be final and conclusive. If such petition shall be granted, the board of supervisors shall by resolution order the dissolution of such district and such district shall thereupon be dissolved, and the property of such district shall remain the property of the county in which such district is located, and any money remaining in the fund of such district shall be expended in the maintenance and repair of the highways of such district whether such highways at the time of dissolution are in incorporated territory or in unincorporated territory.

Sec. 9. Any portion of a garbage-disposal district which will not be benefited by remaining within such district may be withdrawn therefrom as in this section provided. Upon receiving a petition signed by 50 or more freeholders within the portion desired to be withdrawn from any garbage-disposal district, or by a majority of such freeholders, if there are less than 100 freeholders within the portion sought to be withdrawn, requesting the withdrawal of such portion from the district on the ground that such portion will not be benefited by remaining in said district, the board of supervisors shall fix a time for the hearing of such petition and for hearing protests to the continuance of the remaining territory as a garbage disposal district, which shall not be less than 10 days, nor more than 30 days after the receipt thereof. The said board shall, at least a week prior to the time so fixed, publish a notice of such hearing by one insertion in a newspaper circulated in said district, which the board deems most likely to give notice to the inhabitants thereof of the proposed

withdrawal.

Any person interested may appear at said hearing and object to the withdrawal of said portion from said district, or may object to the continuance of the remaining territory as a garbage-disposal district, and the board of supervisors shall consider all objections and shall pass upon the same, and if it finds that said portion of the district sought to be withdrawn will not be benefited by remaining within said district, and that the territory not sought to be withdrawn will be benefited by continuing as a garbage-disposal district, then it shall grant said petition. Upon the withdrawal of any territory from a garbage-disposal district, as in this section provided, all property acquired for the district shall remain vested in the county and be used for the purpose of the district: Provided, however, That if the said territory sought to be withdrawn from said district includes any incorporated territory, then such proportion of the money in the county treasury to the credit of the fund of such district shall be paid over to said municipal corporation as the territory of said municipal corporation sought to be withdrawn from said district bears to the territory of the entire district.

Sec. 10. The boundaries of any such garbage-disposal district may be altered, and outlying contiguous districts, whether the same be incorporated or unincorporated, be annexed thereto in the following manner: A petition signed by 50 or more freeholders within the territory proposed to be annexed, or by a majority of such freeholders if there are less than 100 within the portion proposed to be annexed, designating the boundaries of such contiguous territory proposed to be annexed and asking that such territory be annexed to said garbage-disposal district, shall be presented to the board of supervisors of the

county in which said garbage-disposal district is situated.

At their first regular meeting after the presentation of said petition, said board of supervisors shall cause notice of said petition to be published in a newspaper published and circulated in the territory sought to be annexed, if there be such a newspaper, otherwise, by posting copies of said notice in three of the most conspicuous places in said territory proposed to be annexed, for three weeks prior to the date to be fixed by said board for the hearing of said petition. Upon the date fixed for such hearing, or to which it may be continued, said board of supervisors shall take up and consider said petition, and any objections which may be filed to the inclusion of any property in said district.

Said board of supervisors shall have the power by order entered on its minutes to grant said petition either in whole or in part, and by order entered on its minutes to alter the boundaries of said garbage-disposal district and to annex thereto, all or such portion of said contiguous territory described in said petition as will be benefited by inclusion in said garbage-disposal district, and from and after the making of said order, such territory shall become and be a part of such garbage-disposal district, and shall be taxed, together with the remainder of said district, for all taxes to be thereafter levied by said board of supervisors for the operation and maintenance of said garbage-disposal district. No territory which will not be so benefited, or which is not contiguous to said garbage-disposal district, or which is not described in said petition, shall be included in said district: Provided, however, That less than the whole of any incorporated city shall not be annexed to such district except by unanimous consent of the governing body of such city.

Tuberculin—Sale, Disposition, Purchase, Possession, and Use. Milk and Milk Products from Untested Cattle—Pasteurization Required Before Sale for the Feeding of Livestock or Poultry. Cattle—Importation—Movement into or Through Tuberculosis Eradication or Modified Areas—Exhibition or Use at Fairs—Tuberculin Testing—Disposal of Reactors—Tuberculosis Eradication Areas and Tuberculosis Modified Areas. (Ch. 47, Act April 4, 1927)

SECTION 1. This act shall be known as the bovine tuberculosis law of California.

Sec. 2. (a) The word "person" as used in this act shall be construed to import both the singular and plural, as the case demands, and shall include individuals, partnerships, firms, corporations, associations, commonwealths, their agents, and/or employees.

(b) The word "tuberculin" shall be construed to mean the product of the growth of the tubercle bacillus from any source, used in the diagnosis of tuber-

culosis in livestock and poultry.

(c) The term "accredited herd" shall be construed to mean a herd of cattle for which the owner holds a valid certificate of accreditation issued to him by the Bureau of Animal Industry of the United States Department of Agriculture and the Department of Agriculture of the State of California.

(d) The term "tuberculosis eradication area" shall be construed to mean an area established and delimited by proclamation of the director of agriculture of the State of California for the purpose of promoting the eradication of bovine tuberculosis in said area in cooperation with the United States Department of Argiculture.

(e) The term "tuberculosis modified area" shall be construed to mean an area so declared by proclamations of the United States Department of Agricul-

ture and Department of Agriculture of the State of California.

(f) The word "test" shall be construed to mean the use of tuberculin for

the purpose of diagnosing tuberculosis in cattle.

(g) The term "grade animal" or "grade herd" shall be construed to mean an animal or a herd of animals not individually identified in the herd book of any breed record association recognized by the United States Department of Agriculture.

(h) The term "purebred animal" or "purebred herd" shall be construed to mean an animal or a herd of animals individually identified in the herd book of a breed record association recognized by the United States Department of

Agriculture.

Sec. 3. (a) It shall be unlawful for any person to sell or otherwise dispose of any tuberculin in the State of California that has not been produced under license of the Bureau of Animal Industry of the United States Department of Agriculture.

(b) All sales and all other disposition of tuberculin to be used within the State of California shall be reported within five days thereafter to the Depart-

ment of Agriculture of the State of California.

Sec. 4. (a) It shall be unlawful for any person other than a veterinarian approved by the Department of Agriculture of the State of California to buy, possess, or use tuberculin as defined in section 2 (b) of this act for any purpose

(b) The use of tuberculin for any purpose whatsoever by said approved veterinarian shall be reported within five days thereafter to the Department

of Agriculture of the State of California;

(c) The result of every test shall be reported within five days thereafter to the Department of Agriculture of the State of California by the veterinarian

conducting said test.

SEC. 5. It shall be unlawful for any person to sell, or otherwise convey to another, for the feeding of livestock or poultry, any milk or product of milk from animals which have not passed a tuberculin test applied by a veterinarian approved by the Department of Agriculture of the State of California, until such milk or product of milk has been pasteurized, or heated to a temperature as efficient as pasteurization in the destruction of pathogenic bacteria, in a manner acceptable to the Department of Agriculture of the State of California.

Sec. 6. (a) It shall be unlawful for any person to bring into the State of California, or to aid in bringing into, or to cause to be brought into said State of California by others, any cattle unless said cattle shall be accompanied by a certificate of health and tuberculin-test record signed by a qualified veterinarian, or a signed statement issued by the director of agriculture, or other authority in charge of livestock sanitary work in the State in which the shipment or movement of said cattle originated, showing each of said cattle to be free from communicable diseases including tuberculosis; a copy of such certificate and tuberculin-test record shall be mailed to the Department of Agriculture of the State of California on the day the shipment or movement of said cattle starts from its place of origin, together with a statement giving manner of transportation, routing and destination within the State, except as hereinafter provided.

(b) Such cattle, if purebred, shall be kept under the supervision of the Department of Agriculture of the State of California for a period of not less than 60 nor more than 90 days from the date of arrival within the State of California, and during said period shall be subjected to a test with tuberculin. Should any of said purebred cattle react to this test, they shall be slaughtered within 30 days under the supervision of the Department of Agriculture of the State of California or returned, at the option of the owner, to the place of origin under permit of the Bureau of Animal Industry of the United States

Department of Agriculture.

(c) Such cattle, if grade animals, for dairy or breeding purposes, shall be kept under the supervision of the Department of Agriculture of the State of California for a period of not less than 60 nor more than 90 days from the date of arrival within the State of California, and during said period the director of agriculture shall have the authority to retest such cattle with tuberculin. Should any of said grade animals react to this test, they shall be branded with a letter "T," as provided in section 11 of this act.

(d) Cattle not to be used or sold for dairy purposes may be admitted into the State of California without a tuberculin test record or tuberculin test, if the owner of such animals shall first file with the Department of Agriculture of the State of California his affidavit specifying the predominating breed and that said animals are to be brought into California for feeding purposes, and that none of said animals, either males or females, will be used or sold for dairy purposes.

(e) Cattle for immediate slaughter may be brought into the State of California without a tuberculin-test record or tuberculin test, provided said cattle are shipped, transported, or otherwise moved to a place where meat-inspection service is maintained by the Department of Agriculture of the State of California or the United States Bureau of Animal Industry, or to a place desig-

nated by the Department of Agriculture of the State of California.

SEC. 7. (a) No cattle, except as hereinafter provided, shall be permitted to enter any tuberculosis eradication, or modified area by common carrier, or otherwise, except as provided under the rules and regulations of the United States Department of Agriculture applicable to the shipment or movement of cattle into tuberculosis eradication or modified areas: Provided, however, That in the case of cattle which have been brought into any tuberculosis eradication

or modified area to be sold at public or private sale, the place where such sale is made shall not be construed to be the final destination as defined in this act, but said cattle may be reshipped, under permit of the Department of Agriculture of the State of California, and the destination of such reshipment shall be considered to be the final destination: And provided further, That cattle, whether tuberculin tested or not, shall, under suitable regulations of the Department of Agriculture of the State of California, be permitted to pass through tuberculosis eradication or modified areas when transported by common carrier and not otherwise.

(b) Cattle which have shown a positive reaction to the tuberculin test, and which have been branded on the left jaw in accordance with the provisions of section 11 of this act, and intended for immediate slaughter, may be transported, under written permit of the Department of Agriculture of the State of California, by common carrier only, through or into a tuberculosis eradication

or modified area.

Sec. 8. It shall be unlawful to exhibit any cattle, or to use any bovine female as a nurse cow at any livestock fair or show in the State of California, unless said animal is free from communicable diseases, including tuberculosis as evidenced by a tuberculin-test record approved by the Department of Agriculture of the State of California.

Sec. 9. (a) No tests for tuberculosis shall be made under the provisions of this act, except as provided in sections 6, 7, and 10 hereof, unless said test is made upon request of or with the consent of the owner of the cattle which

are to be tested.

(b) Whenever an owner requests of the Department of Agriculture of the State of California that his cattle be tested for tuberculosis, the expense of such test shall be borne by the owner, unless said request shall be made under the provisions of the pure milk law of California, or unless said owner shall, agree in writing to cooperate in all respects with the Department of Agriculture of the State of California and the Bureau of Animal Industry of the United States Department of Agriculture.

Sec. 10. (a) The director of agriculture of the State of California shall, when requested by the board of supervisors of any county, cause a survey to be made of the cattle in said county for the purpose of ascertaining the extent of

tuberculosis among said cattle.

(b) Every animal reacting to the tuberculin test during the conduct of such survey shall be quarantined in accordance with section 402d of the Penal Code and in accordance with the provisions of * * * [chapter 686, laws, 1921] as amended. If the county wherein such reactors are located is declared a tuberculosis-eradication area, such animals shall be disposed of in accordance with the provisions of this act, and if such tuberculosis-eradication area is not declared, then the said quarantine shall be revoked.

(c) Should the director of agriculture of the State of California, after said survey has been made, find that 90 per cent of the cattle in said county are free from tuberculosis, he shall thereupon establish by proclamation a "tuberculosis eradication area" in accordance with the provisions of this act. Said proclamation shall designate the territorial boundaries of such area and shall be published for three successive weeks in one newspaper of general circulation

printed and published in said county.

Whenever to the satisfaction of the Department of Agriculture of the State of California and the Bureau of Animal Industry of the United States Department of Agriculture the extent of tuberculosis among the cattle in said eradication area has been reduced to a minimum fixed by the United States Department of Agriculture, such area shall, by proclamation of the director of agriculture of the State of California and the Bureau of Animal Industry of the United States Department of Agriculture, be declared a "tuberculosis modified area." Said proclamation shall designate the territorial boundaries of such area and shall be published for three successive weeks in one newspaper of general circulation printed and published in said county.

(d) For the purpose of carrying out the provisions of this act, the director of agriculture or his duly authorized inspectors or agents, may, at any time or place, enter upon any premises, except dwelling houses. No person shall obstruct, hamper, or interfere with the work of said director, his agents or inspectors, while enforcing the provisions of this act. Should any owner or person in charge of cattle subject to examination under the provisions of this act, after 10 days' notice in writing, refuse properly to confine in corrals or stanchions all cattle in his charge, possession, or control, in order to permit of a proper examination under the provisions of this act, the director of agriculture, his agents or inspectors are authorized to employ help and incur such

expense as is necessary in order properly to examine for tuberculosis any and all of said cattle, and the expense of rounding up, driving, corraling, and holding for the purpose of said examination shall become and remain a lien upon said cattle, and such lien, unless paid within 10 days after written notice of the amount of the same has been given by the Department of Agriculture of the State of California to the owner or person in possession of said cattle, shall be foreclosed in the manner provided in section 1208 of the Code of Civil Procedure.

SEC. 11. (a) Every bovine animal which gives a positive reaction to the tuberculin test shall be branded by its owner or his agent, under the supervision of an agent of the Department of Agriculture of the State of California, or a veterinarian approved by said department, with a hot iron with the letter "T" on the left jaw: Provided, That prior to July 1, 1929, owners of herds containing one or more purebred females may, at their option, use the following method of identification of such reacting purebred animals in lieu of branding with the letter "T" with a hot iron, to wit: The nonbranded reacting pure-bred animals shall be reported to the Department of Agriculture of the State of California and identification shall be established by filing with said Department of Agriculture of the State of California the registration name and number of every such animal as recorded in the herd book of the breed record association of the breed to which said animal belongs, together with a photograph of each side of said animal; said photographs shall be taken, by or at the expense of the owner or his agent, at the time of the test to which the said animal reacted; and said animal shall not be removed from the premises whereon it was located at the time it reacted to the tuberculin test until it has been branded as hereinbefore provided.

(b) The letter "T" as used for the branding of reacting animals shall be not less than 3 inches in length from top to bottom, and 2 inches wide at the top, and the branding edge of the "T" shall be not less than one-eighth of 1

inch in width.

Sec. 12. (a) Animals known to be affected with tuberculosis shall under permit in writing from the director of agriculture, and after being branded in accordance with the provisions of this act, be removed from a tuberculosis eradication or modified area, or slaughtered, within 60 days, under the supervision of the Department of Agriculture of the State of California or of the

United States Bureau of Animal Industry.

(b) The slaughtering of all animals under the provisions of this act shall be under the supervision of an inspector of the Department of Agriculture of the State of California or of the United States Bureau of Animal Industry, except that in any chartered or incorporated city or city and county that maintains a regular meat-inspection service by persons who have passed the civil service meat and/or market inspectors' examination the slaughtering of said animals under the provisions of this act shall be under the supervision of such an inspector or inspectors of such chartered or incorporated city or city and county. The carcasses shall be disposed of in accordance with the rules and regulations of the Department of Agriculture of the State of California or of the United States Bureau of Animal Industry governing meat inspection.

Sec. 13. In order to carry into effect the provisions of this act, the director of agriculture is hereby authorized to make such rules and regulations as may, in

his judgment, be necessary, proper, or advisable.

Sec. 14. Any person, whether principal, agent, or otherwise, who violates any of the provisions of this act shall be deemed guilty of a misdemeanor, punishable by a fine of not more than \$500, or not more than 30 days in jail, or by

both such fine and imprisonment.

Sec. 15. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Sec. 16. All acts or parts of acts in conflict with any of the provisions of this act are hereby repealed, provided that nothing herein contained shall be construed or held to repeal an act known as the "pure milk law" of the State of

California, approved June 15, 1923.

Cattle—License for Slaughter of—Purchase and Sale by Certain Persons of Meat of. (Ch. 869, Act June 2, 1927)

[This act amends section 5 of chapter 725, laws, 1921, to read as follows:] Sec. 5. 1. No person shall slaughter a bovine animal or offer for sale, barter, or exchange the meat thereof, unless he shall have a license therefor issued in accordance with the provisions of this act, except as herein otherwise provided.

2. Every person slaughtering cattle as a business shall do so in a designated slaughterhouse. Before beginning business he must procure from the director [of agriculture] a license to carry on such business and execute a bond to the State of California in the penal sum of \$1,000, to be approved by the director, conditioned that such person shall not slaughter, sell, or expose for sale any cattle or the meat thereof without first being the owner thereof, or being authorized so to do by such owner, and that in case he shall slaughter any cattle without being the owner, or so authorized by the owner, he shall, in addition to all other statutory penalties, pay therefor double the value of such animal. All amounts recovered on said bonds shall be paid as follows: One-half to the owner of such animal and the remaining one-half to the cattle-protection fund.

3. Said director shall grant to every applicant who complies with the provisions of this act a license to slaughter cattle, and sell the meat thereof for the unexpired portion of the current calendar year. Every applicant for such license shall pay to said director the following annual fee, which shall be paid in advance: Applicants who slaughter less than 10 head per month, \$5 per annum. Applicants who slaughter more than 10 head and less than 50 head per month, \$10 per annum. Applicants who slaughter more than 50 head, \$25 per annum. One-fourth of said fees shall be paid for a fractional quarter of a year, but in no case shall the fee be less than \$2 for a fractional part of

he year

4. The applicant shall state in his application where his slaughterhouse is located, and he shall not slaughter cattle at any other place. If a licensee desires to change the location of his slaughterhouse he shall apply to said director to have his license transferred, and the director may reissue the

license without additional charge.

5. Upon failure of a licensee for a period 15 days to pay said fee, his license shall thereupon be forfeited and thereafter it shall be unlawful for him to slaughter cattle until a penalty of \$25 and 50 cents per day for every day the licensee slaughters cattle after the expiration of his license is paid to the

director and a new license issued.

6. The director may, after notice to the interested party and a hearing, revoke a license for a wilful violation of any of the provisions hereof, or for maintaining an insanitary slaughterhouse, unless such slaughterhouse shall be under the supervision of a city or county meat-inspection department where regular inspection is conducted by employees who have passed a civil service meat inspector's examination, or the United States Department of Agriculture, and a license so revoked shall not be reissued except upon the payment of a renewal fee of \$25.

7. Every slaughterer of cattle shall keep on file in his office for 90 days after slaughter the original bill of sale and the certificate of inspection of all cattle

slaughtered by him.

8. Every peddler, or retailer of meats, purchasing the meat of any bovine animal, must enter in a book to be kept for that purpose and exhibit the same on demand the name of the person from whom said meat was purchased or otherwise obtained, the date of said purchase, the quantity so purchased, and the time and place of the delivery thereof to him.

No peddler, or retailer of meat, shall purchase the meat of a slaughtered bovine animal from any person not known to him to be licensed under the provisions of this act, or a regular wholesale dealer in meats with an established

place of business.

9. No person not licensed as a slaughterer under this act shall give, sell, or deliver to any peddler of meats any part of the carcass of a bovine animal. This provision shall not apply to purchases from a regular wholesaler of meat

having an established place of business.

10. Nothing in this act shall be so construed as to prohibit an owner of property, or a ranchman located on a definite property as a tenant, lessee or purchaser under contract, from slaughtering cattle bred and raised by him in small numbers on said premises and nothing herein shall be so construed as to prohibit such ranchmen from selling or giving away a portion of the meat thereof.

11. Any person actually engaged in the dairy business or engaged in the raising of cattle may slaughter upon his own premises any calves under 8 months of age, actually produced by him, upon annual notification to the director of agriculture of his intention to slaughter such calves, and filing with the office of the director of agriculture a monthly report giving the number of

calves slaughtered per month.

12. Every licensed slaughterer shall at the end of each calendar month mail to the director a written report stating the total number of cattle inspected for marks and brands and slaughtered during the preceding month and showing in separate columns the number thereof that were: (a) Calves under 1 year of age; (b) cows 1 year of age and over; (c) steers; (d) stags; (e) bulls; (f) number slaughtered on each date; (g) branded, and (h) unbranded cattle.

Animals-Importation. (Ch. 226, Act April 22, 1927)

[This act amends section 1 of chapter 748.17 laws, 1921, to read as follows:] SECTION 1. It shall be unlawful for any person, firm, company, or corporation, their agents and servants, to bring into the State of California any horses, mules, dairy cattle, breeding bulls, goats, bucks, or sheep except as hereinafter provided.

(a) Dairy cattle and breeding bulls must be accompanied by a certificate of health and tuberculin-test record signed by a qualified veterinarian showing that each of said animals is free from tuberculesis and other communicable diseases, and copy of such certificate and tuberculin-test record shall be mailed to the Department of Agriculture of the State of California on the day the ship-

ment of said animal starts from its origin.

(b) In lieu of such certificate of health and tuberculin-test record, as provided for in subdivision (a) of this section, said dairy cattle and breeding bulls may be brought into the State of California; provided said animals are accompanied by a signed statement issued by the official in charge of livestock sanitary work in the State from which such animals are transported, stating that the animals in the shipment originated in herds which are free from tuberculosis and are not affected with any communicable disease; and a copy of said statement shall be mailed to the Department of Agriculture of the State of California on the day of shipment.

(c) Horses and mules must be accompanied by a certificate of health signed by a qualified veterinarian, stating that each animal in the shipment is free from communicable diseases, and a copy of said certificate shall be mailed to the Department of Agriculture of the State of California on the day of shipment.

(d) In lieu of the certificate provided for in subdivision (c) of this sect on, horses and mules may be brought into the State of California; provided said animals are accompanied by a signed statement issued by the official in charge of livestock sanitary work in the State from which said animals are transported, stating that each animal in the shipment is free from communicable diseases, and has not recently been exposed to any communicable diseases, and a copy of said statement shall be mailed to the Department of Agriculture of the State of California on the day of shipment.

(e) Any person or persons desiring to ship buck sheep into the State of California shall notify the Department of Agriculture of the State of California by registered mail before said importation shall be made. Said notice shall give the names and addresses of consignor and consignee, the number of animals shipped, and the origin and destination of the shipment. If said bucks are not shipped in crates or in railroad cars which have been cleaned and disinfected prior to loading, or if they have been unloaded in corrals while en route to destination, they may be dipped one or more times by a duly authorized

agent of the Department of Agriculture of the State of California.

(f) Any person or persons desiring to import sheep or goats into the State of California, except sheep or goats for immediate slaughter, shall notify the Department of Agriculture of the State of California by registered mail before said importation shall be made, which notice shall include the name and address of the consignor and consignee, the owner of said sheep or goats, the place of entrance into the State, and such description of the destination as will enable a duly authorized agent of the said department of agriculture to readily locate said sheep or goats upon their arrival.

¹⁷ Supplement 45 to Public Health Reports, p. 41.

Deaths—Burial, Cremation, and Removal Permits. Birth and Death Registration Law—Penalties for Violations of. (Ch. 718, Act May 23, 1927)

[This act amends sections 11 and 22 (as amended by ch. 523,18 laws, 1921)

of chapter 378,10 laws, 1915, to read as follows:]

SEC. 11. No person in charge of any premises on which interments or cremations are made shall inter or permit the internment or cremate or permit the cremation or other disposition of any body unless it is accompanied by a burial or cremation permit, as herein provided. And such person shall indorse upon the nermit the date of internment or cremation, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of internment or cremation. He shall not remove or permit the removal of any interred body or the cremated remains of a body, unless a permit therefor has been issued by the local registrar of the district in which the said premises are located, and delivered to him. Any person entitled by law to remove an interred dead body or to remove the cremated remains of a dead body may apply to the local registrar for a permit to remove such interred body or the cremated remains of such body, as the case may be, and the local registrar shall forthwith issue such permit, retaining a copy thereof, for which he shall receive a fee of 50 cents to be paid him by the applicant for the permit, such fee to be in addition to the compensation provided in section 20 of this act; and the collection of such fee by the local registrar shall not be construed as in conflict with the provisions of section 5 of this act. Every person in charge of any premises on which interments or cremations are made shall keep a record of all bodies interred or cremated or otherwise disposed of and of the interment or other disposition of the cremated remains of such bodies on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker; which record shall at all times be open to official inspection: Provided, That the undertaker or person acting as such, when burying a body or the cremated remains of a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit, giving the date of burial, and shall write across the face of the permit the words "No person in charge," and file the burial or removal permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 22. Any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, (a) shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death or cremation occurred or the body was found, except as provided in section 5 of this act, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found; or shall remove an interred human body or the interred cremated remains of a human body from the cemetery in which the internment occurred; or shall remove the cremated remains of a dead body from the premises on which the cremation occurred without the authority of a removal permit as provided in section 11 of this act; or (b) shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this act; or (c)shall wilfully alter, otherwise than is provided by section 18 of this act, or shall falsify any certificate of birth or death, or any record established by this act; or (d) being required by this act to fill out a certificate of birth or death and file the same with the local registrar, or deliver it, upon request, to any person charged with the duty of filing the same, shall fail, neglect, or refuse to perform such duty in the manner required by this act; or (e) being a local registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty as required by this act and by the instructions and direction of the State registrar thereunder, shall be deemed guilty of a misdemeanor and upon conviction thereof shall for the first offense be fined not less than \$10; for each subsequent offense not less than \$50, or be imprisoned in the county jail not more than 60 days, or both fine and imprisonment in the discretion of the court.

the court

Supplement 45 to Public Health Reports, p. 46.
 Reprint 338 from Public Health Reports, p. 56.

Unclaimed Dead Bodies-Disposition. (Ch. 623, Act May 18, 1927)

Section 1. It shall be the duty of every sheriff, coroner, keeper of a county poorhouse or reformatory, public hospital or asylum, county jail, State prison, or city or county undertaker, or any and all State, county, town, and city officers having possession, charge, or control of bodies to be buried at public expense, or the legally constituted representatives of any or all of these, to use due diligence to notify the relatives of the deceased, and in the absence of a claimant, who will assume the cost of burial at private expense, to notify by telegraph collect, immediately after the lapse of 24 hours after death, the State board of health or the duly authorized agent of the same, stating, whenever possible, the name, age, sex, and cause of death of any person or persons required to be buried at public expense.

Sec. 2. It is hereby made unlawful for any person or persons except those specifically authorized by law to hold a post-mortem examination on the body of the unclaimed dead without the express permission of the secretary of the

State board of health or the duly authorized agent of the same.

SEC. 3. The unclaimed dead retained by the State board of health for educational purposes within the State shall be embalmed according to directions and disposed of subject only to the instructions of the said board: *Provided*, *however*, That such unclaimed dead shall be held for a period of 30 days by those to whom they may have been assigned for educational purposes, subject to claim and identification by any authenticated relative of the deceased for purposes or burial at private expense.

SEC. 4. The bodies of the unclaimed dead shall be used solely for the purpose of instruction and study in the promotion of medical education and science within the State of California, and any person or persons found guilty of the unlawful disposition, use, or sale of the body or bodies of the unclaimed dead or violating any of the provisions of this act shall be guilty of misdemeanor.

Sec. 5. It shall be the duty of those in charge of all public institutions in which the deceased was an inmate to transmit upon request, to the secretary of the State board of health or to any person designated by said board a brief medical history of the unclaimed dead for purpose of identification and permanent record, which records shall be open to inspection by any State or county official or presecuting attorney. All persons receiving the unclaimed dead for educational purposes within the State of California shall bear all reasonable expense incurred in the preservation and transportation of the dead and shall keep a permanent record of bodies received, giving the identification number, the name, age, sex, nationality, and race, if possible, together with the place of last residence of the deceased and the source and disposition—with dates—of the body.

Sec. 6. Whenever the duly authorized officer or agent of the State board of health deems a body required to be buried at public expense unsuitable or unnecessary for scientific purposes, he shall notify the official custodian of such body or bodies, in order that it may be cremated, or buried at public expense as required by law. No warrants for the payment of the expenses of the burial of any person whose body is required to be buried at public expense shall be drawn or paid except upon the certificate of the duly authorized officer or agent of the State board of health, stating that such body is unnecessary or unfit for anatomical purposes, or that the body is that of a soldier, sailor, or marine. Whenever, through the failure of any person to duly notify, or to promptly deliver the body of a deceased indigent as required by this act, such body shall become unfit for scientific or educational purposes, the duly authorized officer or agent of said State board of health shall so certify and such body shall be buried at the expense of those guilty of noncompliance with such provision of this act.

Sec. 7. All persons authorized by law with the performance of post-mortem examinations are hereby authorized and directed to permit with the consent of relatives or in the absence of such relatives, with the consent of the State board of health or the duly authorized agent of the same, any representative of the anatomical or pathological departments of properly incorporated medical or osteopathic departments, schools or colleges to obtain at the time of necropsy or inquest such material in the recent state as may be needed for scientific purposes, if said material is not required for the legal purposes of the State.

SEC. 8. Sections 3094 and 3095 of the Political Code, and all other acts or portions of acts in conflict with this act, are hereby repealed.

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Needy Physically Defective or Handicapped Persons Under 18 Years of Age—Search for—Diagnostic Clinics for—Care, Treatment, and Maintenance. (Ch. 590, Act May 17, 1927)

[Sections 1 to 6 of this act add the following sections to the Political Code:] Sec. 2979b. The State board of health shall have the power and it shall be its duty to seek out needy physically defective or handicapped persons under the age of eighteen years by local surveys arranged through local lawful authorities, social welfare and other public and private agencies: Provided, That no record shall be taken and/or kept except of such children as are specified in this section.

It shall likewise have the power and it shall be its duty to arrange through such local agencies for local public diagnostic clinics or conferences for such physically defective and handicapped persons, when and where it shall appear necessary and bring to such persons expert diagnoses near their own homes.

Whenever the parents or guardian of any such physically defective or handicapped person shall be unable, in whole or in part, to furnish for such child or ward, resident of the State, necessary surgical, medical, hospital, physiotherapy, occupational therapy, and other service, special treatment, materials, appliances, and their upkeep, maintenance, care, and transportation, the parents or guardian may petition the superior court of the county wherein such parents or guardian is or are resident for a certificate setting forth such fact; and if the judge is satisfied that the parents or guardian is or are unable in whole or in part to furnish such services, treatment, materials, or appliances and their upkeep, or such maintenance, care, and transportation, he shall issue a certificate to that effect. Such certificate shall be presented to the State board of health, and it shall be its duty to furnish, in whole or in part, such services, transportation, materials, or appliances and their upkeep, such maintenance, care, and transportation as in its judgment are necessary and proper, the expense thereof to be advanced by the State board of health out of a revolving fund appropriated for that purpose: Provided, however, That the State board of health may pay the same out of any funds received by it through gift, devise, or bequest without the possession of such certificate. All moneys expended under the authority of such certificate, as herein provided, shall constitute a legal county charge against the county from which such certificate is issued. Upon presentation to the board of supervisors of the county in which such certificate was issued of an itemized claim, duly sworn to by the secretary of the State board of health, for the expense of the above set out services, transportation, materials, appliances, and their unkeep, care, and maintenance and furnished under the authority of said certificate, said board of supervisors shall audit and approve said claim, and the county auditor of said county shall there-upon issue a warrant for the amount thereof payable to the State board of health, and the county treasurer shall pay the same.

The State board of health is hereby authorized to arrange or contract with persons, hospitals, institutions, agencies, or other organizations that are, in its judgment, properly qualified to furnish such services, materials, transportation, care, maintenance, and appliances as above set forth, for such services, materials, transportation, care, maintenance, and appliances necessary or requisite for the purpose of this act, and to pay for same in each particular case out of any funds appropriated for the purpose or which it may receive

by gift, devise, or bequest, as provided in this section.

It shall likewise, through its employees, persons, and agencies cooperating in the services provided for in this section, maintain a strict supervision over such physically defective or handicapped persons as are under its care and jurisdiction; visiting them when advisable, causing a record to be kept

showing their condition and improvement.

It may enter into agreements with parents, guardians, and persons responsible for the care of such persons to pay such amounts as they may be able toward the cost of services, materials, transportation, care, maintenance, and appliances furnished under the provisions of this section. Nothing in this section shall authorize the care, treatment, supervision, or any control over persons coming under the provisions of this act without the written consent of a parent or guardian.

2979c. There is hereby appropriated out of any money in the State treasury, not otherwise appropriated, the sum of \$20,000 for administration and \$25,000, which shall be a revolving fund to be used in the carrying out of the provisions

of this act, and may be expended under the direction of the State board of health for the services and materials as provided under section 2979b of the Political Code. The State board of health is hereby empowered to pay for such services, materials, transportation, care, maintenance, and appliances and their upkeep out of such fund; and the amount of such expenditures shall be charged against the county of which each such physically defective or handicapped person shall be resident as provided in section 2979b.

2979d. The State board of health shall have power to receive gifts, legacies, and bequests, and to expend or use the same for the purposes of this act: *Provided*. That no part of such funds shall be used for administrative expenses.

2979c. The board of managers or other managing authority of any public institution subject to the authority and under the control of the State department of institutions, or of political subdivisions of the State, in which institution hospital facilities are maintained which can be used for the purposes of the act, may upon such conditions as shall be deemed wise without charge place such facilities at the disposition of the State board of health to be used in the care and treatment of physically defective or handicapped persons under 18 years of age.

2982a. The State board of health may appoint an assistant secretary and other necessary employees whose duties shall be to assist in carrying out the provisions of this act. If available, such assistant secretary shall be a person trained and qualified in the work of treatment and care of physically defective and handicapped persons and who shall have knowledge of public health and social welfare services. It shall fix the salaries of such assistant secretary and employees and appoint other assistants and employees who may be willing to assist it without compensation.

SEC. 4041d. The county board of supervisors in each county is authorized to provide for the care, treatment, and cure of physically defective or handicapped persons under the age of 18 years in each county when the parents or guardians of such persons consent thereto in writing and when such parents or guardians are not financially able to secure proper care or treatment. The county may cooperate in this service with the State board of health and pay the costs as provided in sections 2979b, 2979c, and 2982a of the Political Code

or may perform such services independently.

In order to provide facilities for the care, treatment, and cure for [sic] such physically defective or handicapped persons, the board of supervisors may cooperate with the State board of health and the State department of public welfare in making use of existing hospital facilities under the supervision or inspection of such State departments within or without their respective counties.

The county boards of supervisors may also levy a special tax which shall not exceed in any one year the sum of 3 mills on each dollar on the assessed valuation of the taxable property in the county. Such tax to be in addition to all other taxes provided for, which shall be deposited in a fund and be expended for the purposes hereof; and the boards of supervisors may transfer money from the general fund to the special fund in such amounts and at such times as such boards may determine, which money shall be used in carrying out the purposes of sections 2979b, 2979c, and 4041d of the Political Code.

Sec. 7. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

Indians of State—State Board of Health Authorized to Administer Expenditure of Federal Appropriations for Health Work Among. (Ch. 148, Act April 15, 1927)

SECTION 1. If and whenever the Congress of the United States shall authorize the administration of Federal appropriations for the welfare of the Indians of California through the agency of public departments and bureaus of this State full power and authority is conferred upon such State agencies to administer the expenditure of such Federal appropriations for the welfare of such Indians within the scope of the powers conferred upon such departments by law.

SEC. 2. In furtherance of this authorization, the State board of health is hereby authorized, empowered, and directed to administer the expenditure of

all such Federal appropriations as may be made for the care and hospitalization of and for medical attention to sick or injured Indians and for the control and prevention of communicable and infectious diseases and general sanitation among the Indians of California. * * * Subject to such limitations as the Congress of the United States or the Secretary of the Interior may lawfully impose upon the administration of such funds the several State departments above mentioned are authorized to expend the same for the purposes within their respective jurisdictions which in the opinion of the respective heads of said departments will best conserve the interests and welfare of all the Indians

residing within the State of California.

SEC. 3. If the Congress of the United States shall require the submission of budgets to the Secretary of the Interior or any other Federal agency before authorizing the expenditure of Federal funds, such State agencies are hereby authorized to prepare budgets showing the amounts necessary during each year to carry out the purposes for which such Federal appropriations may be made, and shall submit such budgets when prepared to the State board of control who shall coordinate the same so far as possible and approve them before they are forwarded to the Federal agency charged with receiving them by Congress. Thereafter said State agencies shall account directly to the Federal disbursing and auditing officers for the expenditures of funds which Congress may direct to be made subject to their administration, and the officers and employees of each of said departments shall be responsible upon their official bonds to such Federal disbursing and auditing officers for a proper accounting for all funds so disbursed.

Theaters and Moving-Picture Houses-Running Water and Toilet Facilities to be Provided in Operating Rooms of. (Ch. 205, Act April 20, 1927)

Section 1. In the operating room of every theater and moving-picture house located in any municipality there shall be provided running water and toilet

facilities for the use of the operator.

In every municipality or other place having a sewer system adjacent to that portion of the building in which is located the operating room, such toilet facilities in said operating room shall consist of a flush-tank toilet and washbasin with running water whenever the building, health, and sanitary ordinances of such municipality permit the installation of the same. In any municipality or other place having no such sewer system a dry closet or other contrivance acceptable to the local health officer shall be installed in said operating room in place and stead of a flush-tank toilet. Any violation of the provision of this act shall be deemed a misdemeanor and punishable by a fine of not less than \$25 for each offense, and it shall be a separate offense each day that an owner of theater or moving-picture house shall fail to comply with the

SEC. 2. As used in this act the terms "theaters, moving-picture houses and moving-picture show places" include only such buildings or places as are used primarily as theaters or for the display of motion pictures and are operated for

such purposes more than three continuous hours in any one day.

SEC. 3. The provisions of this act as specified in sections 1 and 2 shall not become effective until July 1, 1928.

Mattresses-Labeling-Licenses for Making, Remaking, Renovation, Sterilization, or Sale of. (Ch. 399, Act May 10, 1927)

[This act amends section 3 (as amended by ch. 608, 20 laws, 1921) of and adds sections 3a and 3b to chapter 641, 21 laws, 1915, to read as follows:]

Sec. 3. No person or corporation, by himself, or his agents, servants, or em-

ployees, shall directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver, or consign, or have in his possession with intent to sell, deliver, or consign, any mattress that shall not be, [have?], plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag, not smaller than 3 inches square, securely sewed to the covering thereof a statement, in the English language, setting forth the kind or kinds of materials used in filling the said mattress, and whether the materials are in whole or in part new or old, or secondhand, or shoddy, and the name and address of the vendor or of

²⁰ Supplement 45 to Public Health Reports, p. 51. ²¹ Reprint 338 from Public Health Reports, p. 97.

the manufacturer, or the serial number of the manufacturer, which serial number shall be assigned by the State department of agriculture; also the quantity of such materials used, expressed in terms of avoirdupois weight; also size of same, expressed in linear measure, clearly indicating the length and breadth thereof, except that tags attached to comforters need state only the percentage of new material and (or) shoddy material, and that no sizes need be marked on same.

Sec. 3a. Every person, firm, or corporation manufacturing or selling at wholesale any of the above articles shall obtain annually from the State department

of agriculture a license for which the annual fee shall be \$30.

Every person, firm, or corporation renovating, making over, or sterilizing any of the above articles, unless licensed under the preceding paragraph of this section, shall obtain annually from the State department of agriculture a license for which the annual fee shall be \$20.

Every person, firm, or corporation selling or offering for sale at retail any of the above articles, unless licensed under one of the preceding paragraphs of this section, shall obtain annually from the State department of agriculture

a license for which the annual fee shall be \$5.

Sec. 3b. All moneys collected under the provisions of this act shall be credited to the "division of weights and measures fund," which fund is hereby created, and shall be held subject to the uses of the department of agriculture for the purpose of carrying out the provisions of this act.

Upholstered Furniture—Manufacture, Repair, Sale, and Labeling. (Ch. 405, Act May 10, 1927)

Section 1. No person shall, at wholesale, or retail, or otherwise, directly or indirectly, make, sell, offer, or expose for sale, deliver, rent, consign, lease, or otherwise dispose of commercially, or have in his possession with such intent, any article of new upholstered furniture, for use in any household or place of abode, or which can be used by human beings, that is made of any new material which is hidden or concealed by fabric or any other covering, unless such article is plainly and indelibly stamped or tagged with a tag prescribed and approved by the State department of agriculture, which tag shall be securely attached to the article at the factory setting forth in the English language the name of the vendor, together with the serial number of the manufacturer, which serial number shall be assigned by the department of agriculture, together with a statement that the concealed materials are in whole new materials, with the words as a heading on the tag "All new material" with blank space to stamp or write that pillows or cushions belonging to or forming part of said article are included: Provided, That nothing in this act shall apply to pillows as defined by section 402f of the Penal Code, and provided also that nothing in this act shall apply to mattresses as defined by an act approved June 7, 1915, as amended, chapter 641, Statutes 1915.

SEC. 2. No person shall, at wholesale, or retail or otherwise, directly or indi-

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SEC. 2. No person shall, at wholesale, or retail or otherwise, directly or indirectly, make, sell, offer for sale, deliver, rent, consign, lease, or otherwise dispose of commercially, or have in his possession with such intent, any article of new upholstered furniture that contains in whole or in part any used or second-hand materials, cast-off clothing, rags, jute, burlap, sweepings, shoddy, webbing, refuse, or any material previously used for any purpose whatsoever, that is hidden or concealed by fabric or any other covering unless such article is plainly and indelibly stamped or tagged with a tag prescribed and approved by the State department of agriculture, which tag shall be securely attached to the article at the factory, setting forth in the English language the name of the vendor, together with the serial number of the manufacturer, which serial number shall be assigned by the department of agriculture, and setting forth description of the kind or kinds of used or secondhand materials concealed therein, with the words as a heading on the tag "Second-hand material" and a statement that said used or secondhand materials have been sterilized in accordance

with the requirements of the State board of health.

Sec. 3. No person shall sell, or offer for sale in this State, any article of upholstered furniture manufactured out of this State unless a label is affixed thereto setting forth that such article complies with the laws of this State.

Sec. 4. Any person who shall remove, deface, alter, or in any manner attempt the same or shall cause to be removed, defaced, or altered, any mark or statement placed upon any upholstered furniture under the provisions of this act shall be guilty of a violation of this act.

Sec. 5. Every person, firm, or corporation manufacturing or selling at wholesale upholstered furniture shall obtain annually from the State department of

agriculture a license for which the annual fee shall be \$30.

Every person, firm, or corporation repairing upholstered furniture, unless licensed under the preceding paragraph of this section, shall obtain annually from the State department of agriculture a license for which the annual fee shall be \$20.

Every person, firm, or corporation selling or offering for sale at retail any upholstered furniture, unless licensed under one of the preceding paragraphs of this section, shall obtain annually from the State department of agriculture a

license for which the annual fee shall be \$5.

Sec. 6. All moneys collected under the provisions of this act shall be credited to the upholstered furniture inspection fund, which fund is hereby created, and shall be held subject to the uses of the department of agriculture for the purpose of carrying out the provisions of this act.

Sec. 7. The director of the department of agriculture, or his authorized deputy or inspector, shall have access to any records held by any person contain-

ing any information pertaining to the article or material in question.

SEC. 8. Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished for each separate offense by a fine of not less than \$50 or more than \$500 or by imprisonment in the county jail of not more than six months, or by both such fine and imprisonment. The unit for a separate and distinct offense in violation of this act shall be each and every article of upholstered furniture manufactured or sold in violation of this act.

SEC. 9. The word "person," as used in this act, shall be deemed to include

person, firm, or corporation.

Secondhand Mattresses, Pillows, Comforters, Upholstered Furniture, etc., and Contaminated Materials Used for Filling Same—Sterilization. (Reg. Bd. of Public H., November 12, 1927)

REGULATIONS FOR THE STERILIZATION OF SECONDHAND MATTRESSES, ETC.

In order to properly sterilize secondhand mattresses, upholstered furniture, feather pillows, comforters, and cushions, or contaminated materials used for the filling of these commodities, it is provided by law that articles and materials must be sterilized and disinfected by a process, or processes, approved by the State board of public health.

The State Board of Public Health of the State of California hereby declares and rules that the sterilization and disinfection of these articles or materials shall be by one of the following methods, and under the conditions outlined in

such methods:

(a) Steam under pressure.—By subjecting to steam under pressure for a period of 15 minutes, the pressure of the steam to be a minimum of 7½ pounds per square inch, the temperature of the steam to be a minimum of 230° F. A properly checked steam-pressure gauge and a thermometer, both visible from the outside of the chamber, shall be provided.

(b) Vacuum chemical method.—(a) Vacuum of not less than 27 inches, and (b) to fumes generated by not less than 30 ounces of formaldehyde and 1 pound permanganate per 1,000 cubic feet for two hours as a germicide, together with 4 pounds of carbon disulphide as an insecticide. (c) Temperature of not less

than 212° F. to be maintained during the use of gas.

(c) Wet method.—Immerse in water maintained at a temperature of 212° F. for at least 10 minutes, with proper arrangements for agitation of the material while in the vat, and if after disintegration the material will pass through a

hole 11/2 inches in diameter [sic].

(d) Dry heat method.—By subjecting to temperature of 230° for a period of not less than 30 minutes. When dry heat is used suitable chamber must be provided and equipped with means to keep hot air in circulation and thermometers must be maintained on the outside of such chamber to show the actual heat inside the chamber, these thermometers to be placed, one not higher than 12 inches from bottom of chamber and one not lower than 12 inches from top of chamber.

Filthy or badly soiled articles of bedding offered for sale shall not be considered properly sterilized unless the fabric covering such articles be laundered or replaced by clean or new covering and the filling materials subjected to one

of the sterilizing methods outlined herein.

Presenting the same potential danger of spreading disease and vermin and coming under the same general classification as other articles of bedding in which filling materials are concerned the State board of public health hereby requires that secondhand upholstered furniture, which has been or could be used for sleeping purposes, before it shall be offered for sale for use shall be subjected to sterilization under the same condition and restrictions as the other articles named in this resolution.

Sanitary requirements.—Under the general sanitary laws, and to insure full compliance with these rules, all premises, rooms, chamber, etc., used for the purpose of sterilization, shall be kept in a clean and orderly condition free from dust or dirt or other filth. Places and vehicles used for the handling, storing, or transportation of such articles shall be kept free from dust, dirt, and other filth and shall be kept free from vermin by the use of an effective insecticidal spray at frequent intervals.

Permission to engage in the business of sterilizing articles or materials mentioned herein must first be secured from the division of weights and measures, which division is charged with the enforcement of the law which governs the various processes of sterilization began involved.

the various processes of sterilization herein involved.

In making application for permit to sterilize said materials or articles, a complete statement shall be made of the method, or methods to be employed, and such statement shall be accompanied by a plan in duplicate, drawn to

complete statement shall be made of the method, or methods to be employed, and such statement shall be accompanied by a plan in duplicate, drawn to scale showing details of installation or proposed installation. This plan shall bear a title indicating clearly where the installation is made and is to be signed by the applicant.

No permits shall be issued for a period longer than one year and may be revoked at any time, without notice, by order of the State board of public health upon proper complaint of an inspector charged with the enforcement of these various laws that the sanitary requirements herein outlined are not being complied with.

METHODS OF STERILIZING SECONDHAND FEATHERS

Method E.—The feathers from each customer shall be separately treated and not combined with feathers from other sources.

In sterilizing feather pillows, contents must be removed from ticks and the feathers or down sterilized loose.

Ticking must be dry-cleaned or laundered in water of a temperature of not less than 212° or new ticking used.

Then loose feathers must be placed in a closed receptacle and subjected to streaming live steam out of jets of not less than one-fourth inch in diameter, at the same time injecting 32 ounces of formaldehyde with steam injector for every 120 cubic feet of receptacle displacement for each treatment.

One jet must be installed in receptacle for every 50 cubic feet of displacement. Pressure of steam mentioned below is to be indicated by two gauges on outside of receptacles; one to be 12 inches from top and one 12 inches from bottom of receptacle, both to register not less than pressure stated below.

Where 15-pound pressure is used the steam treatment must be for at least 30 minutes' duration in receptacle.

Where 20-pound pressure is used the steam treatment must be for at least 20 minutes' duration in receptacles.

The streaming steam and formaldehyde must be injected while the feathers are in motion to bring about a complete sterilization, after which steam must be forced out of chamber and the feathers subjected to a temperature of not less than 230° of heat for a period of not less than 30 minutes.

The receptacle or machine used in sterilizing secondhand feathers or down must not be used for any other purpose other than sterilizing secondhand material. New feathers or down must be sterilized or processed in a separate machine and not sterilized in a machine used for sterilizing secondhand material.

Public Service Districts for Establishment and Maintenance of Public Labor Camps—Organization, Government. Powers, Duties, Maintenance, and Diminution. (Ch. 743, Act May 24, 1927)

SECTION 1. Public service districts may be organized under the provisions of this act for the following purpose:

For the establishment and maintenance of public labor camps.

SEC. 2. The term "labor camp," for the purposes of this act, shall mean any living quarters, camping facilities, housing accommodations, dwelling, boarding house, shack, tenement, tent houses, barracks, temporary or permanent, maintained directly or indirectly in connection with any work or place where work is being performed within the district.

Whenever any public service district is organized under this act for the purpose of establishing and maintaining a public labor camp or camps therein, said labor camp or camps so established shall be subject to all the provisions of * * * [chapter 182, 22 laws, 1913] as amended.

SEC. 3. Whenever a petition, signed by a majority or more of the electors whose names appear upon the last great register of the county, who reside within territory described by the petition, which petition may consists of separate instruments, requesting that such territory be organized into a public service district for the above-named purpose shall be presented to the board of supervisors of the county in which such territory is situated at a regular or special meeting of said board, the board of supervisors shall by resolution at such meeting fix a time for the hearing of the petition at not less than two nor more than five weeks from the time of presentation thereof and shall give notice of the hearing by publishing once each week for not less than two weeks prior to the time of the hearing in some newspaper of general circulation, printed and published in said county, a copy of the petition, except that the signature need not be published, a statement of the time and place of hearing and a statement that any person residing or owning property within the proposed district may appear before the board of supervisors at the time and place fixed for the hearing and show cause why the petition should not be granted or why the proposed boundaries of the district should be changed.

SEC. 4. At the time fixed for the hearing, the board of supervisors shall hear the petition and shall determine whether or not the petition complies with requirements and whether the notice has been published as required. No defect in the petition shall vitiate any proceeding providing the petition has sufficient qualified signatures and its intent can be ascertained. The finding of the board of supervisors as to the genuineness and sufficiency of the petition and notice shall be final and conclusive against all persons except the State of California upon suit by the attorney general commenced within one year after the order

of the board of supervisors declaring such district organized.

Sec. 5. If the board of supervisors shall determine that the petition is sufficient it shall proceed to a final hearing of the matter. Any person residing or owning property within said proposed district may appear before the board at the hearing in person or by attorney and oppose the creation of the district or request a change in the boundaries and may produce evidence in support of his opposition or request. The board of supervisors must hear all competent and relevant testimony offered in support of or in opposition to the formation of the district or with relation to its bundaries. The board may exclude such territory from the proposed district as it may deem advisable and shall define and establish such boundaries. The hearing may be adjourned from time to time for the determination of the facts not to exceed two weeks in all.

Sec. 6. Upon the conclusion of the hearing, the board of supervisors may by

order entered in its minutes approve the petition as originally presented or in a modified form and declare the territory embraced within the boundaries established by the board a duly organized public service district. The board shall cause a copy of such order, duly certified, to be immediately filed for record in the office of the county recorder of such county. Upon such filing the organization of the district shall be complete, and the district may sue and be sued in

its own name.

Sec. 7. The district shall be governed and managed by a board of trustees consisting of three members appointed by the board of supervisors from electors residing therein. The trustee shall hold office for four years and until the appointment and qualification of their successors and shall serve without

compensation.

Sec. 8. The trustees shall establish, construct, and maintain a labor camp as defined in section 2 of the act and shall provide for the supply of water to such camp and provide the necessary sanitary facilities, and for such purpose the trustees shall have the power and authority to enter into contract and to expend money and incur liabilities in behalf of the district, shall have the power to adopt an official seal and shall make such rules and regulations as shall

Reprint 264 from Public Health Reports, p. 86.

be necessary for the management of the district, and generally to do all things necessary to properly establish, maintain, and conduct the labor camp and main-

tain a proper water supply and sanitary conditions.

Sec. 9. The district shall maintain the necessary establishment and facilities to fulfill the purpose of the district, and for that purpose shall be capable of holding title to property, to take property by grant, gift, devise, lease, or any other method, and doing all acts necessary or proper for the carrying out of the

purposes of this act.

Sec. 10. The board of trustees of the district shall annually at or before the time fixed by law for the levying of county taxes estimate and certify to the board of supervisors the amount of money necessary to be raised by taxation for maintaining the establishment or facilities and fulfilling the purposes of the district, and the board of supervisors shall thereupon include in the annual tax levy a tax of not to exceed five mills per dollar in any one year upon all of the property within such district sufficient in their opinion to raise the amount of money necessary for the purposes of the district.

SEC. 11. The tax shall be collected by the same officer and in the same manner as other county taxes and the same together with all other moneys received by the trustees shall be paid to the county treasurer and shall constitute a separate fund to be expended solely for the purpose of the district upon warrants issued by the county auditor upon orders signed by not less than two of the

trustees of the district.

Sec. 12. The trustees shall as soon after the 1st day of July in the first year as is practicable and annually thereafter file with the county board of supervisors a report setting forth all their transactions during the preceding fiscal year and containing an itemized account of receipts and disbursements during

said fiscal year, together with proper vouchers therefor.

Sec. 13. Wherever a board of supervisors shall receive a petition, signed by a majority of the electors residing within the boundary lines of a portion of a public-service district, as set forth in said petition, requesting that such territory or portion of a district described therein be excluded from a public service district, the board of supervisors shall, by resolution, fix a time for the hearing of said petition at not less than two nor more than five weeks from the time of presentation thereof, and shall cause notice thereof to be given of the time and place of such hearing by publication in some newspaper of general circulation, printed and published in said county for not less than two weeks prior to the

time of said hearing.

At the time fixed for said hearing said board of supervisors shall hear such petition and must hear all competent and relevant testimony offered in support of or in opposition thereto. Said hearing may be adjourned from time to time for the determination of said facts, not to exceed two weeks in all. If the board of supervisors shall determine that the petitioners have complied with the requirements herein set forth and that the notice required herein has been published as required, it shall thereupon proceed to final hearing of the matter and said board shall make such changes in the boundaries of the proposed district as it may deem advisable and shall thereupon redefine and reestablish such boundaries: Provided, however, That the portion of the territory excluded from said district shall not be relieved from the payment of any tax or assessment levied or imposed upon such territory so excluded prior to the date of the order of the board of supervisors.

Barbering—Refusal to Issue, Refusal to Renew, Suspension, or Revocation of Certificate of Registration of Barbers and Apprentices—Use of Certain Places for, Regulated—Prescribing of Sanitary Requirements Governing Shops and Schools—Inspection of Shops and Schools. (Ch. 853, Act May 31, 1927)

SEC. 15. The board [of barber examiners] may either refuse to issue, or renew, or may suspend or revoke any certificate of registration for any of the following causes.

(c) Continued practice by a person knowingly having an infectious or contagious or communicable disease.

(f) Habitual drunkenness or habitual addiction to the use of morphine, cócaine, or other habit-forming drugs.

(h) The commission of any of the offenses referred to in subdivisions (c), (d), and (f) of section 18 of this act.

Sec. 18. Each of the following shall constitute a misdemeanor punishable upon conviction by a fine of not less than \$25 nor more than \$200.

(f) The use of any room or place for barbering which is also used for residential or business purposes, (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery, and such commodities as are used and sold in barber shops), unless a substantial partition of ceiling height separates the portion used for residential or business purposes.

Sec. 23. The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this act. The board shall prescribe sanitary requirements for barber shops and barber schools subject to the approval of the State board of health. Any member of the board or its agents or assistants shall have authority to enter upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations and sanitary requirements adopted by the board shall be furnished by the board to the owner or manager of each barber shop and barber school, and such copy shall be posted in a conspicuous place in such barber shop or barber school.

Sec. 24. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional such decision shall not affect the validity of the remaining portion of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 25. All acts or portions of acts inconsistent with this act are hereby repealed.

Sec. 26. This act shall be known and may be cited as the California barber law.

Barber Shops and Barber Schools—Sanitary Requirements. (Reg. Bd. of Barber Examiners, Approved by Bd. of Public H., November 12, 1927)

RULE 1. All barber shops, barber schools, and barber colleges shall display a sign indicating that it is a barber shop, barber school, or barber college, and the said sign shall be clearly visible at the main entrance of said place.

Rule 2. No barber, apprentice, or student will be permitted to practice in this State while he has an infectious, contagious, or communicable disease.

Rule 3. All barber shops, barber schools, and barber colleges, together with all furniture, equipment, tools, utensils, floors, walls, and ceilings, shall at all times be kept in a clean and sanitary condition, well lighted, and well ventilated.

Rule 4. Continuous hot and cold running water must be provided in each establishment.

RULE 5. Cuspidors shall be cleaned every day and a disinfectant solution left in them at all times.

Rule 6. At least two receptacles must be provided in each barber shop, barber school, or barber college. Used shaving papers must be deposited in one and used towels in the other.

RULE 7. Every barber, apprentice, and student shall wash his hands with soap and water immediately before serving each patron.

Rule 8. Shaving mugs and brushes shall be thoroughly rinsed with hot water before each patron is served. (Shaving powder or cream is preferable.)

Rule 9. A towel that is used on one patron shall not be used again on another patron until relaundered.

RULE 10. The headrest on each chair must be provided with a clean towel or sheet of clean paper for each patron.

Rule 11. A strip of cotton, towel, or neckband must be placed around the patron's neck so that the hair cloth does not come in contact with the neck.

RULE 12. The use of powder puffs, finger bowls, sponges, styptic pencils, and

lump alum is prohibited. The use of a hairbrush is discouraged.

Rule 13. Razors, scissors, tweezers, combs, rubber discs, and parts of vibrators and all other utensils, appliances, or anything that comes in contact with the head, face, or neck must be immersed in boiling water or a disinfectant solution for 2 minutes and placed in a compartment until again used. Only such methods of sterilization that are bacteriologically effective will be permitted.

Rule 14. Failure on the part of the owner, manager, or employee to comply with the foregoing regulations will be deemed sufficient cause to revoke license.

It shall be the duty of the proprietors of all barber shops, barber schools, and barber colleges, and of all registered barbers, apprentices, and barber students, patrons of barber shops, and others to assist in carrying out these sanitary rules and regulations adopted by the State board or barber examiners pursuant to and under the authority of the laws of the State of California, chapter 853, Statutes of 1927, by reporting to the board or any of its duly authorized agents or assistants any violations of the said law or of these sanitary rules and regulations.

In writing complaints to the State board of barber examiners the accused person's name, number of his license, and business address must be given, also the name, number of license (if any), and business address of the accuser.

Unless these instructions are carried out the complaint will be ignored.

Cosmetology—Adoption of Sanitary Requirements Governing Practice of— Establishments and Schools not to be Used for Sleeping or Residental Purposes—Refusal to Issue, Refusal to Renew, Revocation, or Suspension of License to Practice. (Ch. 845, Act May 31, 1927)

SEC. 3. On and after the 1st day of October, 1927, every person, firm, or corporation who shall conduct or operate a cosmetological establishment, school of cosmetology, hair-dressing shop, beauty parlor, or any other place of business in which any one or any combination of the occupations of a hairdresser and cosmetician are taught or practiced, and every person who shall engage in, or attempt to engage in, the practice of cosmetology, or any branch or branches thereof, without a license therefor, issued as herein provided, by the State board of cosmetology, shall be guilty of a misdemeanor punishable by a fine of not less than \$25 nor more than \$200, or by imprisonment for a term of not less than 50 days or not more than 180 days, or by both such fine and imprisonment; Provided, however, That nothing in this act shall be construed to prohibit any junior operator from engaging in any one or any combination of the occupations of a hairdresser and cosmetician, under the immediate supervision of a licensed hairdresser and cosmetician; nor to prohibit any student in any school of cosmetology, legally established under the provisions of this act, from engaging, in said school and as such student, in work connected with any branch or any combination of branches of cosmetology taught in said school.

SEC. 4. * * *

It shall be the duty of the board * * * to adopt such sanitary rules as it may deem necessary with particular reference to the precautions to be employed to prevent the creating or spreading of infectious or contagious disease in cosmetological establishments, or schools of cosmetology, or in the practice of a hairdresser and cosmetician; but no sanitary rule thus adopted shall have any force or effect unless and until the same has been approved by the State board of health. A copy of all sanitary rules, thus adopted and approved, shall be furnished to each person, firm, or corporation to whom a certificate of registration and license is issued for the conduct of a cosmetological establishment, school of cosmetology, or for the practice of the occupations of a hairdresser and cosmetician.

Sec. 20. No owner, manager, or person in charge of a cosmetological establishment, or school of cosmetology, shall permit any person to sleep in, or use for residential purposes, any room used, wholly or in part, as a cosmetological establishment or school of cosmetology; nor shall any person, firm, or corporation maintain, as an established place of business for the practice of any one or more of the occupations of a hairdresser and cosmetician, any room used, wholly or in part, for sleeping or residential purposes. Violations of the provisions of this section shall constitute a misdemeanor, punishable as provided in section 3 hereof.

Sec. 21. The board shall not issue, or, having issued, shall not renew, or may revoke or suspend at any time any license as required by the provisions of section 3 hereof in any one of the following cases: (a) Failure of a person, firm, or corporation operating a cosmetological establishment to comply with the requirements of this act; (b) failure to comply with the sanitary rules adopted by the board and approved by the State board of health for the regulation of cosmetological establishments, schools of cosmetology, or the practice of the occupations of a hairdresser and cosmetician; * * * (e) continued practice by a person knowingly having an infectious or contagious disease; (f) habitual drunkenness or habitual addiction to the use of morphine or any habit-forming drug;

Weeds—Special Assessments Against Property for Destruction of. (Ch. 188, Act April 20, 1927)

[This act amends section 7 of chapter 511,²³ laws, 1915, to read as follows:] Sec. 7. At the time fixed for receiving and considering said report the legislative body shall hear the same, together with any objections which may be raised by any of the property owners liable to be assessed for the work of abating said nuisance and thereupon make such modifications in the report as they may deem necessary, after which, by motion or resolution, said report shall be confirmed.

The amounts of the cost for abating such nuisance in front of or upon the various parcels of the land mentioned in said report shall constitute special assessments against the respective parcels of land, and after thus made and confirmed shall constitute a lien on said property for the amount of such assess-

ments, respectively.

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After confirmation of said report a copy shall be turned over to the assessor and the tax collector of such municipality, whereupon it shall be the duty of said officers to add the amounts of the respective assessments to the next regular bills for taxes levied against the said respective lots and parcels of land for municipal purposes, and where the amount of taxes are [sic] assessed by the county assessor, the amount of said lien shall be added by the assessor to such assessment; and where the taxes are collected by the county tax collector, the amount of said assessment, together with the amount of said lien, shall be collected by the county tax collector, and thereafter said amounts shall be collected at the same time and in the same manner as ordinary municipal taxes are collected, and shall be subject to the same penalties and the some procedure under foreclosure and sale in case of delinquency as provided for ordinary municipal taxes: Provided, That, as an alternative method of procedure, when the municipal taxes are collected by the county tax collector, the said county tax collector may, in his discretion, proceed to collect such assessments without reference to the general taxes by issuing separate bills therefor and issuing separate receipts for collections on account of such assessments. All laws applicable to the levy, collection, and enforcement of county taxes are hereby made applicable to such special assessment taxes.

²⁸ Reprint 338 from Public Health Reports, p. 99.

Communicable Diseases—Terms Defined—Reports of Cases—Placarding— Isolation—Quarantine—Disinfection—Incubation Periods—Periods of Communicability—Attendance at School and Public Places—Immunication— Carriers-Library Books-Burial-Control Measures for Specific Diseases. (Reg. Bd. of H., September 2, 1927)

DEFINITIONS OF TERMS

1. Carrier .- A person who, without symptoms of a communicable disease,

harbors and disseminates the specific microorganisms.

2. Cleaning.—This term signifies the removal by scrubbing and washing, as with hot water, soap, and washing soda, of organic matter on which and in which bacteria may find favorable conditions for prolonging life and

virulence; also the removal by the same means of bacteria adherent to surfaces.

3. Contact.—A "contact" is any person or animal known to have been sufficiently near to an infected person or animal to have been presumably exposed to transfer of infectious material directly, or by articles freshly soiled

with such material.

4. Delousing .- By delousing is meant the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of Pediculus corporis or Pediculus capitis survive.

5. Disinfection .- By this is meant the destroying of the vitality of patho-

genic microorganisms by chemical or physical means.

When the word "concurrent" is used as qualifying disinfection, it indicates the application of disinfection immediately after the discharge of infectious material from the body of an infected person or after the soiling of articles with such infect ous discharges, all personal contacts with such discharges or articles being prevented prior to their disinfection.

When the word "terminal" is used as qualifying disinfection, it ind cates the process of rendering the personal clothing and immediate physical environment of the patient free from the possibility of conveying the infection to

others at the time when the patient is no longer a source of injection.

6. Disinfecting.—By disinfecting is meant any process, such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, etc, by which insects and animals known to be capable of carrying or transmitting infection

may be destroyed.

Education in personal cleanliness,-This phrase is intended to include all the various means available to impress upon all members of the community, young and old, and especially when communicable disease is prevalent or during epidemics, by spoken and printed word, and by illustration and suggestion, the necessity of:

(1) Keeping the body clean by sufficiently frequent soap and water baths. (2) Washing hands in soap and water after voiding bowels or bladder and

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always before eating.

- (3) Keeping hands and unclean articles, or articles which have been used for toilet purposes by others, away from mouth, nose, eyes, ears, and vagina.
- (4) Avo ding the use of common or unclean eating, drinking, or toilet articles of any kind, such as towels, handkerchiefs, hair brushes, drinking

(5) Avoiding close exposure of persons to spray from the nose and mouth,

as in coughing, sneezing, laughing, or talking.

8. Fumigation.—By fumigation is meant a process by which the destruction of insects, as mosquitoes and body lice, and animals, as rats, is accomplished

by the employment of gaseous agents.

9. Isolation. - By isolation is meant the separating of persons suffering from a communicable disease, or carriers of the infecting organism, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

10. Quarantine.1—By quarantine is meant the limitation of freedom of movement of persons or animals who have been exposed to communicable disease for

¹ In view of the various ambiguous and inaccurate uses to which the words "isolation" and "quarantine" are not infrequently put, it has seemed best to adopt arbitrarily the word "isolation" as describing the limitation put upon the movements of the known sick or "carrier" individual or animal, and the word "quarantine" as describing the limitations put upon exposed or "contact" individuals.

a period of time equal to the longest usual incubation period of the disease to which they have been exposed.

11. Renovation.—By renovation is meant, in addition to cleansing, such treatment of the walls, floors, and ceilings of rooms or houses as may be necessary

to place the premises in a satisfactory sanitary condition.

12. Report of a disease.—By report of a disease is meant the notification to the health authorities, and, in the case of communicable disease in animals, also to the respective departments of agriculture which have immediate jurisdiction, that a case of communicable disease exists in a specified person or animal at a given address

13. Susceptibles.—A susceptible is a person or animal who is not known to have become immune to the particular communicable disease in question by

natural or artificial process.

The items considered necessary for presentation with regard to each disease are the following:

(1) Infectious agent.

(2) Source of infection. (3) Mode of transmission.

(4) Incubation period.(5) Period of communicability.

(6) Methods of control: (A) The infected individual and his environment-

(a) Recognition of the disease.

(b) Isolation.

(c) Immunization. (d) Quarantine.

(e) Concurrent disinfection. (f) Terminal disinfection.

(B) General measures.

(C) Epidemic measures (occasionally require separate mention).

REGULATION 1.-LIST OF DISEASES. REPORTING CASES

Actinomycosis. Acute infectious conjunctivitis. Ancylostomiasis (hookworm). Angina, Vincent's. Anthrax. Botulism. Chicken pox (varicella). Cholera. Dengue. Diphtheria. Dysentery (amebic). Dysentery (bacillary). Epidemic (lethargic) encephalitis. Erysipelas. Favus. Foot and mouth disease. German measles. Glanders. Gonorrhea. Impetigo contagiosa. Influenza. Leprosy. Malaria. Malta fever.

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Measles. Meningococcus meningitis (epidemic cerebrospinal meningitis).

Mumps. Paragonimiasis. Paratyphoid fever. Plague. Pneumonia (acute lobar). Poliomyelitis. Puerperal septicemia. Rabies (hydrophobia). Relapsing fever. Rocky Mountain spotted or tick fever. Scabies (itch). Searlet fever. Septic sore throat. Smallpox (variola). Syphilis. Tetanus. Trachoma. Trichinosis. Tuberculosis (pulmonary). Tuberculosis (other than pulmonary). Tularemia. Typhoid fever.

Placard all diseases shown above in italics.

All diseases named in the above list are hereby declared to be reportable and all except botulism are "communicable diseases dangerous to public health."

Typhus fever.

Yellow fever.

Whooping cough.

It shall be the duty of every physician in attendance upon a case of reportable disease, to report the same immediately to the local health officer, within whose jurisdiction such case occurs, giving the full name, address, age, sex, color, nationality, occupation, school attended, if any, place of employment, name of employer, number of adults and children in the household, number of persons exposed, source of infection or probable origin, and name of attending physician, provided that in cases of venereal disease, the name and address of patient shall be omitted, then the special form required by statute for this class of disease must be used in reporting.

Reports shall be made by telephone or telegram when practicable and shall also always be made in writing.

REGULATION 2.—REPORTING WHEN NO PHYSICIAN IS IN ATTENDANCE. DISEASES AMONG ANIMALS

Superintendents or persons in charge of hospitals, sanatoria, dispensaries or other institutions, nurses, midwives, teachers, dairy managers, heads of private households and proprietors and keepers of hotels, boarding houses or lodging houses, or other persons either treating or having knowledge of a reportable disease shall be required to report such disease coming under their observation, when no physician is in attendance.

All cases of anthrax, foot, and mouth disease and rabies (hydrophobia) among animals must be promptly reported by anyone knowing the facts to the local health officer, who will, without delay, report to the State board of health.

REGULATION 3.-ACTINOMYCOSIS

- 1. Infectious agent-Actinomyces bovis.
- 2. Source of infection.—The nasal and bowel discharges, and the infected material from lesions in human and animal cases of the disease. Uncooked meat from infected animals may serve as a source of infection.
- 3. Mode of transmission.—By contact with the discharges or with articles freshly soiled with the discharges from animal or human cases.
 - 4. Incubation period.—Unknown.
- 5. Period of communicability.—As long as open lesions remain, as proved by the presence of the infectious agent on microscopic or cultural tests.
- 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms, confirmed by microscopic examination of discharges from the lesions.
- (2) Isolation: None, provided the patient is under adequate medical supervision.
 - (3) Immunization: None.
 - (4) Quarantine: None.
- (5) Concurrent disinfection: Of discharges from lesions and articles soiled therewith
 - (6) Terminal disinfection: By thorough cleaning.
 - (B) General measures-
- (1) Inspection of meat, with condemnation of carcasses, or infected parts of carcasses, of infected animals.
 - (2) Destruction of known animal sources of infection.

REGULATION 4.—ACUTE INFECTIOUS CONJUNCTIVITIS

(Not including trachoma)

(This title to replace the terms gonorrheal ophthalmia, ophthalmia neonatorum, and babies' sore eyes.)

- 1. Infectious agent.—The gonococcus or some member of a group of pyogenic organisms, including the hemoglobinophilic bacilli.
- 2. Source of infection.—Discharges from conjunctive, or adnexa, or genital mucous membranes of infected persons.
- 3. Mode of transmission.—Contact with an infected person or with articles freshly soiled with discharges of such person.
 - 4. Incubation period.—Irregular, but usually 36 to 48 hours.
- Period of communicability.—During the course of the disease and until the discharges from the infected mucous membranes have ceased.
- 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms, confirmed where possible by bacteriological examination.

- (2) Isolation: None, provided the patient is under adequate medical supervision.
 - (3) Immunization: None.
- (4) Quarantine: None.(5) Concurrent disinfection: Disinfection of conjunctival discharges and
- articles soiled therewith.

 (6) Terminal disinfection: Thorough cleansing.
 - (B) General measures—
- (1) Enforcement of regulations forbidding the use of common towels and toilet articles. Education as to personal cleanliness.
- (2) Use of silver nitrate or some similar solution in the eyes of the new born.
- (3) Carrying out of the measures indicated in methods of control for gonorrhea.

REGULATION 5.—ANCYLOSTOMIASIS

(Hookworm)

- 1. Infectious agent.—Ancylostoma (Necator americanus).
- 2. Sources of infection.—Feces of infected persons. Infection generally takes
- place through the skin, occasionally by the mouth.

 3. Mode of transmission.—The larval forms pierce the skin, usually of the foot, and passing through the lymphatics to the vena vava and the right heart, thence in the blood stream to the lungs, they pierce the capillary walls and pass into the alveoli. Then they pass up the bronchi and trachea to the throat, whence they are swallowed and finally lodge in the small intestine. Also by drinking water containing larvæ, by eating soiled food, by hand-to-mouth transmission of the eggs or larvæ from objects soiled with infected
- discharges. The chief reservoir of infectious materials is contaminated soil. 4. Incubation period.—Seven to ten weeks.
- 5. Period of communicability.—As long as the parasite or its ova are found in the bowel discharges of an infected individual. Contaminated soil remains infective for five months in the absence of freezing.
 - 6. Methods of control.—(A) The infected individual and his environment—
 - (1) Recognition of the disease: Microscopic examination of bowel discharges.(2) Isolation: None.
 - (3) Immunization: None.
 - (4) Quarantine: None.
- (5) Concurrent disinfection: Sanitary disposal of bowel discharges to prevent contamination of soil and water.
 - (6) Terminal disinfection: None.
- (7) Treatment: Appropriate treatment of infected individual to rid the intestinal canal of the parasite and its ova.
 - (B) General measures-

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- (1) Education as to dangers of soil pollution.
- (2) Prevention of soil pollution by installation of sanitary disposal systems for human discharges.
 - (3) Personal prophylaxis by cleanliness and the wearing of shoes.

REGULATION 6.-ANGINA, VINCENT'S

- 1. Infective agent.—A spirillum together with a fusiform bacillus.
- 2. Source of infection.—Discharge from the pharynx, less frequently from the glans penis and vulva.
- 3. Mode of transmission.—Directly by personal contact; indirectly by articles freshly soiled with discharges from the lesions.
 - 4. Incubation period.—Unknown.
- Period of communicability.—Until complete healing of the lesions has taken place.
- 6. Methods of control.—(A) The infected individual and his environment—
- (1) Recognition of the disease: Clinical symptoms, confirmed by bacteriological examination.
- (2) Isolation of the infected person, in cases where it is deemed advisable, until the lesions are healed.
 - (3) Immunization: None.
 - (4) Quarantine: None.

(5) Concurrent disinfection of discharges from lesions and of articles soiled by discharges.

(6) Terminal disinfection: Thorough cleansing.

(B) General measures: Arsenic by mouth or intravenously is curative.

REGULATION 7.-ANTHRAX

1. Infectious agent.—Anthrax bacillus, Bacillus anthracis.

2. Source of infection .- Hair, hides, flesh, and feces of infected animals.

3. Mode of transmission.—Inoculation as by accidental wound or scratch, inhalation of spores of the infectious agent, and ingestion of insufficiently cooked infected meat.

4. Incubation period.—Within seven days.

5. Period of communicability.—During the febrile stage of the disease and until lesions have ceased discharging. Infected hair and hides of infected animals may communicate the disease for many months after slaughter of the animal, and after curing of hide, fur, or hair, unless disinfected.

Methods of control.—(A) The infected individual and his environment—
 Recognition of the disease: Clinical symptoms, confirmed by bacteriological examination.

(2) Isolation of the infected individual until the lesions have healed.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection of the discharges from lesions and articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

(B) General measures-

(1) Animals ill with a disease presumably anthrax should be placed immediately in the care of a veterinary surgeon. Proved animal cases of the disease should be killed promptly and the carcasses destroyed, preferably by fire.

(2) Isolation of all animals affected with the disease.

(3) Immunization of exposed animals.

(4) Post-mortem examination should be made only by a veterinary surgeon, or in the presence of one.

(5) Milk from an infected animal should not be used during the febrile

period.

prohibited.

(6) Control and disinfection of effluents and trade wastes and of areas of land polluted by such effluents and wastes from factories or premises where spore-infected hides or other infected hide and hair products are known to have been worked up into manufactured articles.

(7) A physician should be constantly employed by every company handling raw hides, or such companies should operate under the direct supervision of a

medical representative of the health department.

(8) Every employee handling raw hides, hair, or bristles who has an abrasion of the skin should immediately report to a physician.

(9) Special instruction should be given to all employees handling raw hides in regard to the necessity of personal cleanliness.

(10) Tanneries and woolen mills should be provided with proper ventilating

apparatus so that dust can be promptly removed.

(11) Disinfection of hair, wool, and bristles of animals originating in known

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infected centers before they are used or assorted.

(12) The sale of hides from an animal infected with anthrax should be

REGULATION 8.—BOTULISM

1. Infectious agent .- Bacillus botulinus A and B.

Source of infection.—Decomposed foods, such as sausage and other meats, fish, vegetables rich in protein, such as beans and peas; also in ripe olives.

3. Mode of transmission.—By ingestion of infected foods.

4. Incubation period.—Four to 65 hours; usually 20 to 24 hours.

5. Methods of control.—(A) The infected individual and his environment—(1) Recognition of the disease: By clinical symptoms with confirmation of [by?] bacteriological examination of suspected foods and also by biological tests on animals. The clinical symptoms briefly stated are: Nausea, gastric pains, vomiting, burning thirst, difficulty in swallowing; symptoms referable to the nervous system such as dimness of vision, amounting in some cases almost to blindness, dilation of pupil with loss of reaction to light, ptosis, extreme muscu-

lar weakness. Cases with these symptoms should be given large doses of polyvalent botulism antitoxin intravenously with promptness.

- (2) Isolation: None.(3) Quarantine: None.
- (4) Immunization in exposed cases by large doses of a polyvalent botulism antitoxin used intravenously.
 - (B) General measures-

Prevention.—The prevention of botulism consists in greater care and clean-liness in the preservation of nitrogenous foodstuffs. The bacillus will grow and produce toxin only in foods containing protein. There is no danger of botulism in fresh food. In all instances, the trouble comes from food that has been canned, preserved, pickled, or processed in some way, such as pickled ham, home-processed beans, sausages, etc. Home-canned foods are often at fault. It is therefore important to teach safe methods of home canning, especially the importance of putting up only fresh and clean food, heated sufficiently to kill the spores—120° C. (248° F.) for ten minutes. This is the minimum temperature and time to kill the naked spores under laboratory conditions. In actual practice a large factor of safety is necessary in order to provide for penetration of the heat throughout the cans. Canned foods should be processed at a temperature sufficiently high and held there sufficiently long to render the contents of the can sterile, which will include the killing of botulinus spores. Sterile food is safe food. The cans should be tight.

The heat of cooking is sufficient to detoxicate the poison, but does not kill the spore. Food, therefore, that is allowed to stand around after cooking permits bacterial growth, unless kept in the ice box, with a temperature at or near freezing. The importance of proper refrigeration to prevent botulism, as well as other bacterial contamination, is evident.

Cooking is a safeguard, but it must be thorough and recent, thorough in order that the heat may penetrate throughout the mass and kill the toxin; and recent in order to prevent the reformation of the poison. If the food is kept at ordinary temperatures after cooking, botulinus and other organisms may grow and may cause trouble. Toxin may reform in cooked food allowed to stand twenty-four hours at room temperature. Home-canned goods, or any other processed goods, should be again cooked just before serving. Food preserved in a brine of 8 per cent or greater is safe, for the toxin does not form in salt solution of this concentration. A sirup of at least 50 per cent sucrose has been found necessary to inhibit growth. A hydrogen ion concentration of 4.5 prevents the formation of this poison; therefore, botulism is unknown in acid fruits.

Reliance can not be placed upon odor, taste or appearance to detect the toxin of botulism in food. It is true that in many instances a history is obtained that the responsible food looked spoiled, tasted wrong, or smelled tainted. Experts can detect the peculiar butyric acid smell of cultures of botulinus, but we found in my laboratory that some strains produce little or no odor. A safe rule is not to eat food that is soft, mushy, and shows gas with a spoiled or putrefactive odor. Canned food that shows gas formation or other evidence of spoilage should not be eaten, especially if home processed. A very small amount of the toxin-containing food is sufficient to cause symptoms and death. Merely tasting the contents, or just "nibbling" the food has been fatal.

The occurrence of limber neck in domestic fowl, if it has developed after they

The occurrence of limber neck in domestic fowl, if it has developed after they have eaten refuse from the kitchen, may be an indication for the prophylactic administration of the betulinous antitoxin to all persons who have eaten the suspected food.

When a case of botulism occurs, other persons who may have eaten the suspected food should receive a prophylactic dose of botulinus antitoxin; both strains A and B should be used. The serum is of little avail after symptoms have begun.—Rosenau.

REGULATION 9.—CHICKEN POX (VARICELLA)

1. Infectious agent.—Unknown.

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- 2. Source of infection.—The infectious agent is presumably present in the lesions of the skin and of the mucous membranes; the latter, appearing early and rupturing as soon as they appear, render the disease communicable early, that is, before the exanthem is in evidence.
- 3. Mode of transmission.—Directly from person to person; indirectly through articles freshly soiled by discharges from an infected individual.

4. Incubation period.—Two to three weeks.

5. Period of communicability.-Until the primary scabs have disappeared from the mucous membranes and the skin.

6. Methods of control.—(A) The infected individual and his environment—

(1) Recognition of the disease: Clinical symptoms. The chief public health importance of this disease is that cases thought to be chicken pox in persons over 15 years of age, or at any age during an epidemic of smallpox, are to be investigated to eliminate the possibility of their being smallpox.

(2) Isolation: Exclusion of patient from school, and prevention of contact

with nonimmune persons. Placard.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection of articles soiled by discharges from lesions.

(6) Terminal disinfection: Thorough cleaning.

(B) General measures: None.

Note.—Differential diagnosis from smallpox: The differential diagnosis between chicken pox and smallpox is often an important and difficult public health matter. In smallpox the vesicle is multilocular, in chicken pox unilocular. The smallpox eruption comes out as one crop, the chicken-pox eruption in several crops, and therefore the several stages appear on the skin at the same time. In smallpox the extremities are usually involved, but are spared in chicken pox. There are other clinical differences, but the diseases are not always true to textbook type.

Further aid in diagnosis is given by showing the important diagnostic symptoms of the two diseases in parallel columns as follows:

SMALLPOX (Variola)

(1) The rash is most abundant on the face; most scanty on the abdomen and chest

- chest.

 (2) The rash is much more abundant on the back than on the abdomen.

 (3) The rash is more abundant on the shoulders than across the loins, and on the chest than on the abdomen.

 (4) The rash favors the limbs and, generally, the arms, next to the face.

 (5) The distribution on the limbs is contributed.

(6) The rash favors prominences, and surfaces exposed to irritation; it tends to avoid protected surfaces, flexures, and depressions.

depressions.

(7) The lesions are deep-seated, and have an inflitrated base.

(8) The lesions are generally circular in outline.

(9) The lesions are homogeneous in character; or if they are heterogeneous they are heterogeneous by law.

(10) The vesicles, generally, are multi-

locular.
(11) Frequently some of the vesicles are indented.

CHICKEN POX (Varicella)

- (1) The abdomen and chest are covered as thickly as the face, or more thickly.
 (2) The abdomen is covered equally with the back.
- (3) The distribution is indifferent.
 (4) The rash tends to avoid the limbs.
 (5) The distribution on the limbs is

(5) The distribution on the limbs is centripetal.
(6) The rash behaves indifferently.
(7) The lesions are superficial and the base is not inflirated.
(8) The lesions frequently have an irregular outline; when they lie near a flexure they are apt to be oval or elongated.
(9) The lesions often are not homogeneous; and the want of homogeneity bears no relation to the sizes of the lesions and to their situation. and to their situation.
(10) The vesicles, generally, are uni-

locular.
(11) The vesicles are never indented and

seldom dimpled.

The Paul reaction.—The Paul reaction consists in inoculating the suspected material on the cornea of rabbits. The reaction is positive for smallpox, negative for chickenpox.

REGULATION 10.—CHOLERA

1. Infectious agent.—Cholera vibrio, vibrio comma.

2. Source of infection.—Bowel discharges and vomitus of infected persons, and feces of convalescent or healthy carriers. Ten per cent of contacts may be found to be carriers.

3. Mode of transmission .- By food and water polluted by infectious agent; by contact with infected persons, carriers, or articles freshly soiled by their discharges; by flies.

4. Incubation period .- One to five, usually three days, occasionally longer if the healthy carrier stage before development of symptoms is included.

5. Period of communicability.—Usually 7 to 14 days or longer and until the infectious organism is absent from the bowel discharges.

6. Methods of control.—(A) The infected individual and his environment-(1) Recognition of the disease: Clinical symptoms, confirmed by bacteriological examination.

(2) Isolation of patient in hospital or screened room. Placard.

(3) Immunization by vaccination may be of value.

(4) Quarantine: Contacts for five days from last exposure, or longer if stools

are found to contain the cholera vibrio.

(5) Concurrent disinfection: Prompt and thorough disinfection of the stools and vomited matter. Articles used by and in connection with the patient must be disinfected before removal from the room. Food left by the patient should

(6) Terminal disinfection: Bodies of those dying from cholera should be cremated if practicable, or otherwise, wrapped in a sheet wet with disinfectant solution and placed in water-tight caskets. The room in which a sick patient

was isolated should be thoroughly cleaned and disinfected.

(B) General measures

(1) Rigid personal prophylaxis of attendants by scrupulous cleanliness, disinfection of hands each time after handling patient or touching articles contaminated by dejecta, the avoidance of eating or drinking anything in the room of the patient, and the prohibition of those attendant on the sick from entering the kitchen.

(2) The bacteriological examination of the stools of all contacts to determine

carriers. Isolation of carriers.

(3) Water should be boiled, if used for drinking or toilet purposes, or if used in washing dishes or food containers, unless the water supply is adequately protected against contamination or is so treated, as by chlorination, that the cholera vibrio can not survive in it.

(4) Careful supervision of food and drink. Where cholera is prevalent, only cooked foods should be used. Food and drink after cooking or boiling should be

protected against contamination, as by flies and human handling.

(C) Epidemic measures-

Inspection service for early detection and isolation of cases; examination of persons exposed in infected centers for detection of carriers, with isolation or control of carriers; disinfection of rooms occupied by the sick, and the detention, in suitable camps for five days, of those desirous of leaving for another locality. Those so detained should be examined for detection of carriers.

REGULATION 11.—DENGUE

1. Infectious agent.—Unknown.

2. Source of infection.—The blood of infected persons.

3. Mode of transmission.—By the bite of infected mosquitoes, (Aedes aegypti).

4. Incubation period.—Three to 10 days.

5. Period of communicability.—From the day before onset to the fifth day of the disease.

6. Methods of control.—(A) The infected individual and his environment-

(1) Recognition of the disease: Clinical symptoms.

(2) Isolation: The patient must be kept in a screened room.

(3) Immunization: None.

(4) Quarantine: None.

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(5) Concurrent disinfection: None.

(6) Terminal disinfection: None. Upon termination of the case fumigation of the room and house, to destroy mosquitoes.

(B) General measures

Measures directed toward elimination of mosquitoes (Aedes aegypti). Screening of rooms.

REGULATION 12.—DIPHTHERIA

1. Infectious agent.-Diphtheria bacillus, Corynebacterium diphtheriae, the Klebs-Loeffler bacillus.

2. Source of infection.—Discharges from diphtheretic lesions of nose, throat, conjunctiva, vagina, and wound surfaces. Secretions from the nose and throat of carriers of the bacillus.

3. Mode of transmission .- Directly by personal contact, indirectly by articles freshly soiled with discharges, or through infected milk or milk products.

4. Incubation period.—Usually two to five days, occasionally longer if a

healthy carrier stage precedes the development of clinical symptoms.

5. Period of communicability.—Until virulent bacilli have disappeared from the secretions and the lesions. The persistence of the bacilli after the lesions In fully three-fourths of the cases they disappear have healed is variable. within two weeks. In 95 per cent of cases, the bacilli disappear in four weeks.

In exceptional cases virulent bacilli remain in the throat and discharges for from two to six months.

6. Methods of control.—(A) The infected individual and his environment-(1) Recognition of the disease: By clinical symptoms with confirmation by

bacteriological examination of discharges.

(2) Isolation: Until two cultures from the throat and two from the nose, taken not less than 24 hours apart after 21 days from the onset of the disease, fail to show the presence of diphtheria bacilli. Isolation may be terminated if persistent diphtheria baoilli prove avirulent. Children school for one week after end of isolation or quarantine. Children should not attend Placard.

(3) Immunization: Exposed susceptibles who can not be kept under daily observation by a physician or nurse should be promptly immunized by anti-(By susceptibles is meant such individuals as are found to be nonim-

mune by the Schick test, i. e., those who give a positive reaction.)

(4) Quarantine: All exposed persons until shown by bacteriological examination not to be carriers.

(5) Concurrent disinfection of all articles which have been in contact with the patient and all articles soiled by discharges from the patient.

(6) Terminal disinfection: At the end of the illness, thorough airing and sunning of the sick room, with cleaning or renovation.

(B) General measures-

(1) Pasteurization of milk supply.

(2) Application of the Schick test to all especially exposed persons, such as nurses and physicians, and active immunization of all susceptibles, but not within three weeks after the administration of antitoxin.

(3) Active immunization of all children by the end of the first year without prior Schick testing; active immunization of school children with or without

prior use of the Schick test.

(4) Determination of presence or absence of carriers among contacts and, so far as practicable, in the community at large.

REGULATION 13.—DYSENTERY (AMEBIC)

1. Infectious agent.—Endamoeba histolytica.

2. Source of infection.—The bowel discharges of infected persons.

3. Mode of transmission.-By drinking contaminated water, and by eating infected foods, and by hand-to-mouth transfer of infected material; from objects soiled with discharges of an infected individual, or of a carrier; by flies.

4. Incubation period.—Unknown.

- 5. Period of communicability.—During course of disease and until repeated microscopic examination of stools shows absence of Ameba histolytica.
- 6. Methods of control.—(A) The infected individual and his environment-(1) Recognition of the disease: Clinical symptoms, continued by microscopic examination of stools.

(2) Isolation: None.

- (3) Immunization: None. (4) Quarantine: None.
- (5) Concurrent disinfection of the bowel discharges.

(6) Terminal disinfection: Cleaning.

(B) General measures-

(1) Boil drinking water unless the supply is known to be free from contamination.

(2) Water supply should be protected against contamination, and supervision should be exercised over all foods eaten raw.

REGULATION 14.—DYSENTERY (BACILLARY)

1. Infectious agent.-Dysentery bacillus, Erberthella dysenteriae, Erberthella para dysenteriae.

2. Source of infection.—The bowel discharges of infected persons.

3. Mode of transmission.—By drinking contaminated water, by eating infected foods, and by hand-to-mouth transfer of infected material; from objects soiled with discharges of an infected individual or of a carrier; by flies.

4. Incubation period.—Two to seven days.

5. Period of communicability.—During the febrile period of the disease and unt'l the organism is absent from the bowel discharges

- 6. Methods of control.—(A) The infected individual and his environment—
- Recognition of the disease: Clinical symptoms, confirmed by serological and Lacteriological tests.
- (2) Isolation: Infected individuals during the communicable period of the disease.
- (3) Immunization: Vaccines give considerable immunity. Owing to severe reactions their use is not universal, nor should it be made compulsory, except under extreme emergency.
 - (4) Quarantine: None.
 - (5) Concurrent d'sinfection: Bowel discharges.
 - (6) Terminal disinfection: Cleaning.
 - (B) General measures-
 - (1) Rigid personal prophylaxis of attendants upon infected persons.
- (2) No milk or food for human con umption should be sold from a place occupied by a patient unless the persons engaged therein occupy quarters separate from the house where the patient is sick, and all utensils used are cleaned and kept in a separate building and under a permit from the health officer.
- (3) All attendants upon persons affected with this disease should be prohibited from having anything to do with the handling of food.
 - (4) Necessary precautions against flies.
- (5) Careful supervision of food and drink. Where dysentery is prevalent only cooked foods should be used. Food and drink, after cooking and boiling, should be protected against contamination, as by flies and human handling.

REGULATION 15.—EPIDEMIC (LETHARGIC) ENCEPHALITIS

- 1. Infectious agent.—Unknown.
- 2. Source of infection.—Probably discharges from the nose and throat of infected persons or articles freshly soiled therewith. It is supposed that there are healthy carriers during prevalence of the disease.
- 3. Mode of transmission.—Probably by direct contact with an infected person or a carrier of the virus, or by contact with articles freshly soiled with discharges of the nose or throat of such persons.
 - 4. Incubation period.—Undetermined. Believed to be about 10 days.
 - 5. Period of communicability.—Probably during the febrile stage of the disease.
 6. Methods of control.—(A) The infected individual and his environment—
 - (1) Recognition of the disease: By clinical symptoms.
 - (2) Isolation of recognized cases for one week after onset.
 - (3) Immunization: None.
 - (4) Quarantine: None.
- (5) Concurrent disinfection: Discharges of the nose and throat and articles soiled therewith.
 - (6) Terminal disinfection: Cleaning.
 - (B) General measures—
 - (1) Search for an examination of cases during periods of prevalence.
 - (2) Isolation of suspected febrile cases pending diagnosis.

REGULATION 16.—ERYSIPELAS

- 1. Infective agent.—Streptococcus erysipelatis.
- 2. Source of infection.—Bacterium found in lymph vessels at periphery of the inflamed area.
- 3. Mode of transmission.—Directly by contact with area involved; indirectly by contact with articles freshly soiled by serum from infected area.
 - 4. Incubation period.—Three to ten days.
 - 5. Period of communicability.—Until the process is ended.
 - 6. Methods of control.—(A) The infected individual and his environment—
 - (1) Recognition of the disease: Clinical symptoms.
 - (2) Isolation: Until the process is ended.
 - (3) Immunization: None.
 - (4) Quarantine: None.
- (5) Concurrent disinfection: All contaminated articles must be burned or disinfected.
- (6) Terminal disinfection: Thorough cleansing and airing of the room and its contents.
- (B) General measures: Physicians in attendance upon a case of erysipelas should refrain from obstetric service until the erysipelas is dismissed.

REGULATION 17.-FAVUS

1. Infectious agent.—Achorion schoenleinii.

2. Source of infection.—Lesions of skin, particularly on scalp.

3. Mode of transmission.—Direct contact with patient, and indirectly through toilet articles.

4. Incubation period.—Unknown.

- 5. Period of communicability.—Until skin and scalp lesions are all healed. 6. Methods of control.—(A) The infected individual and his environment—
- (1) Recognition of the disease: Clinical symptoms confirmed by microscopic examination of crusts.
- (2) Isolation: Exclusion of patient from school and other public places until lesions are healed.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: Toilet articles of patient.

(6) Terminal disinfection: None.

(B) General measures-

(1) Elimination of common utensils, such as hair brushes and combs.

(2) Provision for adequate and intensive treatment and cure of cases of favus at hospitals and dispensaries, to abbreviate the period of infectivity of the patients.

REGULATION 18.-FOOT-AND-MOUTH DISEASE

(Aphthous fever)

1. Infectious agent.—An unknown filterable virus.

2. Source of infection.-Saliva, milk, tears, and various other secretions and

excretions, also in the blood until eruption appears.

3. Mode of transmission.—Contact with an infected person or animal and the ingestion of milk or milk products from an infected animal; also by contact with hay utensils, drinking troughs, etc., recently soiled with discharges from infected surface.

4. Incubation period.—Two to six days, rarely 15 to 18 days.

5. Period of communicability.—Until the lesions have completely healed. 6. Methods of control.-(A) The infected individual and his environment-(1) Recognition of the disease: Clinical symptoms.

(2) Isolation until healing of lesions.

(3) Immunization: None.

(4) Quarantine: None. (5) Concurrent disinfection: Discharges from all diseased surfaces and of articles freshly soiled.

(6) Terminal disinfection: Thorough cleansing.

(B) General measures-

(1) Attention to herds when disease is suspected to be present.

(2) Avoidance of contact with surfaces with which diseased animals may have been in contact.

(3) Pasteurization of milk when disease is prevalent in a community.

(4) Milk from cows sick with this disease must not be used.

REGULATION 19.—GERMAN MEASLES (RUBELLA)

1. Infectious agent.—Unknown.

2. Source of infection.—Secretions of the mouth and possibly of the nose. 3. Mode of transmission .- By direct contact with the patient or with articles freshly soiled with the discharges from the nose and throat of the patient.

4. Incubation period.—From 14 to 21 days.

5. Period of communicability.-Eight days from onset of the disease.

6. Methods of control.—(A) The infected individual and his environment—(1) Recognition of the disease: Clinical symptoms.

(2) Isolation: Separation of the patient from nonimmune children, and exclusion of the patient from school and public places for the period of presumed infectivity. Placard.

(3) Immunization: None. (4) Quarantine: None.

(5) Concurrent disinfection: Discharges from the nose and throat of the patient and articles soiled by discharges.

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(6) Terminal disinfection: Airing and cleaning.

(B) General measures: None.

NOTE.—The reason for attempting to control this disease is that it may be confused with scarlet fever during its early stages; each person having symptoms of the disease should therefore be placed under the care of a physician and the case should be reported to the local department of health.

REGULATION 20.—GLANDERS

1. Infectious agent.—Glanders bacillus, Pfefferella mallei.

- 2. Source of infection.—Discharges from open lesions of mucous membranes, or of the skin of human or equine cases of the disease, (i. e., pus and mucous from the nose, throat, and bowel discharges from infected man and horse).
- 3. Mode of transmission.—Contact with a case or with articles freshly soiled by discharges from a human or equine case.

4. Incubation period.—Unknown.

Period of communicability.—Until bacilli disappear from discharges or until lesions have healed.

6. Methods of control.—(A) The infected individual and his environment—

(1) Recognition of the disease: By specific biological reactions, such as the complement fixation test, the mallein test, the agglutination test, or by non-specific reactions, such as the Straus reaction, if confirmed by culture, or by identification of the Bacillus mallei, or by autopsy of doubtful cases.

(2) Isolation: Human cases at home or hospital; for infected horses destruction rather than isolation is advised. Skin contact with the lesions in the

living or dead body is to be scrupulously avoided.

(3) Immunization: None of established value or generally accepted.

(4) Quarantine of all horses in an infected stable until all have been tested by specific reaction, and the removal of infected horses and terminal disinfection of stable have been accomplished.

(5) Concurrent disinfection: Discharges from human cases and articles soiled

therewith.

(6) Terminal disinfection: Stables and contents where infected horses are found.

(B) General measures-

(1) The abolition of the common drinking trough for horses.(2) Sanitary supervision of stables and blacksmith shops.

(3) Semiannual testing of all horses by a specific reaction where the disease is common.

(4) Testing of all horses offered for sale where the disease is common.

Note.—In this disease, as in all infectious or communicable diseases from which both animals and humans suffer, cases occurring in animals should be reported to the local health officer.

REGULATION 21.—GONORRHEA

1. Infectious agent.—Gonococcus, Neisseria gonorrhoeae.

2. Source of infection.—Discharges from lesions of inflamed mucous membranes and glands of infected persons, viz, urethral, vaginal, cervical, conjunctival mucous membranes, and Bartholin's or Skene's glands in the female, and Cowper's and the prostate glands in the male.

3. Mode of transmission.—By direct personal contact with infected persons, and indirectly by contact with articles freshly soiled with the discharges of

such persons.

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4. Incubation period.—One to eight days, usually three to five days.

5. Period of communicability.—As long as the gonococcus persists in any of the discharges, whether the infection be an old or a recent one.

6. Methods of control.—(A) The infected individual and his environment—
(1) Recognition of the disease: Clinical symptoms, confirmed by bacterio-

logical examination or serum reaction.

(2) Isolation: When the lesions are in the genito-urinary tract, exclusion from sexual contact, and when the lesions are conjunctival, exclusion from school or contact with children, as long as the discharges contain the infecting organism.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: Discharges from lesions and articles soiled therewith.

(6) Terminal disinfection: None.

(B) General measures-

(1) Education in matters of sexual hygiene, particularly as to the fact that continence in both sexes at all ages is compatible with health and normal development.

(2) Provision for accurate and early diagnosis, and treatment in hospitals and dispensaries of infected persons, with consideration for privacy of record and provision for following cases until cured.

(3) Repression of prostitution by use of police power and control of use of

living premises.

(4) Restriction of sale of alcoholic beverages.

(5) Restriction of advertising of services or medicines for the treatment of sex diseases, etc.

(6) Elimination of common towels and toilet articles from public places.(7) Use of prophylactic silver solution in the eyes of the new born.

(8) Exclusion of persons in the communicable stage of the disease from participation in the preparing and serving of food.

(9) Personal prophylaxis should be advised to those who expose themselves to opportunity for infection. See social hygiene Regulation No. 66.

REGULATION 22.—IMPETIGO CONTAGIOSA

(Pemphigus Neonatorum)

1. Infective agent .- A streptococcus.

2. Source of infection.—Discharges from lesions or articles freshly soiled with such discharges.

3. Mode of transmission.—Contact with lesions or with soiled articles.

4. Incubation period .- A few hours to several days.

- Period of communicability.—Until all lesions have healed and the skin is smooth.
- 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms, differentiate carefully from chicken pox and smallpox.

(2) Isolation: Separation of the patient from other children and exclusion

of the patient from school and public places.

(3) Quarantine: None.

(4) Terminal disinfection: None.

(B) General measures: Avoid scratching and use of common towels.

REGULATION 23.—INFLUENZA

1. Infectious agent.—Undetermined.

2. Source of infection.-Probably discharges from the mouth and nose of

infected persons and articles freshly soiled with such discharges.

3. Mode of transmission.—Believed to be by direct contact, by droplet infection or by articles freshly soiled with discharges of the nose and throat of infected persons.

4. Incubation period.—Short, usually 24 to 72 hours.

- 5. Period of communicability.—Undetermined, apparently during the febrile period or at least for seven days from onset of clinical symptoms.
- 6. Method of control.—(A) The infected individual and his environment— (1) Recognition of the disease: By clinical symptoms only. Uncertain in inter-epidemic periods.

(2) Isolation: During acute stage of disease.

(3) Immunization: None; vaccines have not proved of definite value.

(4) Quarantine: None.

(5) Concurrent disinfection: Discharges from the nose and throat of the patient.

(6) Terminal disinfection: Airing and cleaning.

(B) General measures: During epidemics efforts should be made to reduce opportunities for direct-contact infection, as in crowded halls, stores, and street cars. Kissing, the use of common towels, glasses, eating utensils, or toilet articles should be avoided. The hands should be washed carefully before eating. In isolated towns and institutions, infection has been delayed and sometimes avoided by strict exclusion of visitors from already infected communities. The closing of schools has not been effective in checking the spread of infection. The use of masks by nurses and other attendants has proved of value in preventing infec-

tion in hospitals. Scrupulous cleanliness of dishes and utensils used in preparing and serving food in public eating places should be required, including the subjection of all such articles to disinfection in hot soapsuds. In groups which can be brought under daily professional inspection, the isolation of early and suspicious cases of respiratory tract inflammation, particularly when accompanied with a rise in temperature, may be relied upon to delay the spread of the disease. To minimize the severity of the disease and to reduce mortality, patients should go to bed at the beginning of an attack and not return to work without the approval of their physician.

REGULATION 24.—LEPROSY

- 1. Infectious agent.—Leprosy bacillus, Mycobacterium lepræ.
- 2. Source of infection.—Discharges from lesions.
- 3. Mode of transmission .- By close, intimate, and prolonged contact with infected individuals. Flies and other insects may be mechanical carriers.
 - 4. Incubation period.—Prolonged, undetermined.
- 5. Period of communicability.-Infectivity exists throughout the duration of the disease.
- Where good standards of personal hygiene prevail this disease is but slightly communicable.
- 6. Methods of control.—(A) The infected individual and his environment—
- (1) Recognition of the disease: Clinical symptoms, confirmed by bacteriological examination.
- (2) Isolation for life in national leprosarium when this is possible, or at least until treatment has brought about a healing of all lesions of skin and mucous membranes and the patient has been observed with the disease in this arrested form for not less than six months.
 - (3) Immunization: None.
 - (4) Quarantine: None.
 - (5) Concurrent disinfection: Discharges and articles soiled with discharges. (6) Terminal disinfection: Thorough cleansing of living premises of the
- patient.
- (B) General measures—
 (1) Lack of information as to the determining factors in the spread and communication of the disease makes any but general advice in matters of personal hygiene of no value.
- (2) As a temporary expedient lepers may be properly cared for in local hospitals, or if conditions of the patient and his environment warrant, he may be allowed to remain on his own premises under suitable regulations.

REGULATION 25.-MALARIA

- 1. Infectious agent.—The several species of malarial organisms: Plasmodium vivax (tertian); Plasmodium malariæ (quartan); Laverania falciparum (aestivo-autumnal).
 - 2. Source of infection.—The blood of an infected individual.
- 3. Mode of transmission.—By bite of the infected Anopheles mosquitoes. The mosquito is infected by biting an individual suffering from acute or chronic malaria. The parasite develops in the body of the mosquito for from 10 to 14 days, after which time the sporozoites appear in its salivary glands.
- 4 Incubation period.—Varies with the type of species of infecting organism and the amount of infection; usually 14 days in the tertian variety.
- 5. Period of communicability.—As long as the malaria organism exists in the
 - 6. Methods of control.—(A) The infected individual and his environment—
- (1) Recognition of the disease: Clinical symptoms, always to be confirmed by microscopical examination of the blood. Repeated examinations may be necessary.
- (2) Isolation: None except protection of the patient from approach of mosquitoes by screening his bed or room or house, until his blood is rendered
- free from malarial parasites by thorough treatment with quinine.
 (3) Immunization: None. The administration of prophylactic doses of quinine should be insisted upon for those constantly exposed to infection and unable to protect themselves against Anopheles mosquitoes.
 - (4) Quarantine: None.
- (5) Concurrent disinfection: None. Destruction of Anopheles mosquitoes in the sick room.

- (6) Terminal disinfection: None. Destruction of Anopheles mosquitoes in the sick room.
 - (B) General measures-

(1) Employment of known measures for destroying larvæ of anophelines and the eradication of breeding places of such mosquitoes.

(2) Blood examination of persons living in infected centers to determine the incidence of infection.

(3) Screening sleeping and living quarters; use of mosquito nets.

(4) Killing mosquitoes in living quarters.

REGULATION 26.-MALTA FEVER

1. Infectious agent.—Micrococcus melitensis; Brucella melitensis; Alkaligenes

melitensis; Alkaligenes abortus.

2. Source of injection .- The milk and urine of infected goats, and the urine, blood, and milk of other infected domestic animals, mules, asses, horses, cows, oxen, hogs, sheep, rabbits, dogs, and fowls; the urine of infected persons and of carriers of the organism.

3. Mode of transmission .- By ingestion of milk from infected goats commonly; by direct contact with infected animals and persons and their urinary discharges in ways to permit the contamination of food and hands, occasionally; by inhalation of dust from soil or surfaces contaminated with urinary discharges of infected animals or persons rarely; possibly by inoculation through abrasions of the skin by contaminated dust or soil, and by sexual intercourse with infected persons, and rarely by ingestion of infected cow's milk or by contact with infected blood or organs of domestic animals.

4. Incubation period.—Six to sixteen days.

5. Period of communicability.-From the onset of the disease until the organism is no longer found in the urine, usually 90 days, with a range of 20 to 300 days.

6. Methods of control.—(A) The infected individual and his environment-

(1) Recognition of the disease: The clinical picture and particularly the undulant character of the fever, supplemented by exact determination through the use of agglutination tests and bacteriological examination of the blood and urine for the infecting organism.

(2) Isolation of infected individuals during the period of communicability.
(3) Immunization: Preventive vaccination by suspensions of mixtures of the Micrococcus melitensis and Micrococcus paramelitensis have given good results, This is advised for exposed susceptibles, especially those handling goats in areas where the disease is known to exist. Autogenous vaccines have been used with

but little success in the treatment of the disease. (4) Quarantine: None.

(5) Concurrent disinfection of all discharges, especially the urine and of articles soiled with such discharges.

(6) Terminal disinfection: Cleaning.

(B) General measures-

Sterilization of goats' milk.
 Protection of public water supplies.

(3) Supervision of human carriers and their exclusion from the handling of foods.

(4) Destruction of infected animals.

- (5) Search for infection among goats by the serum and the lacto reaction (Zammit).
- (6) Immunization of goats by vaccines in areas where the disease is prevalent.

(7) Exclusion of goats from areas of infection.

(8) Sanitary supervision of goat shelters.

REGULATION 27.-MEASLES

1. Infectious agent.-Unknown,

2. Source of infection.—Buccal and nasal secretions of an infected individual. 3. Mode of transmission .- Directly from person to person; indirectly through articles freshly soiled with the buccal and nasal discharges of an infected indi-

vidual. The most easily transmitted of all communicable diseases. 4. Incubation period.—About 10 days.

- 5. Period of communicability.—During the period of catarrhal symptoms and until the cessation of abnormal mucous membrane secretions—minimum period of nine days; from four days before to five days after the appearance of the rash.
- 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms. Special attention to rise of temperature, Koplik spots and catarrhal symptoms in exposed individuals.

(2) Isolation: During period of communicability. Placard.

(3) Immunization: By the use of the serum or whole blood of convalescent measles patient, or of any healthy adults who have had measles, given within five days after exposure to a known case of measles, the attack in the exposed person may be averted in a high percentage of instances; if not averted, the disease is modified. Given later, but at a time prior to the clinical onset of the disease, convalescent serum usually modifies the severity of the attack and the patient acquires the usual lasting immunity of the disease.

(4) Quarantine: Exclusion of exposed susceptible school children and teachers from school until 14 days from last exposure. This applies to exposure in the household. Exclusion of exposed susceptible children from all public gath-

erings for the same period.

(5) Concurrent disinfection: All articles soiled with the secretions of the nose and throat,

(6) Terminal disinfection: Thorough cleaning.

(B) General measures-

(1) Daily examination of exposed children and of other possibly exposed persons. This examination should include record of the body temperature. A nonimmune exposed individual exhibiting a rise of temperature of 0.5° C. or more should be promptly isolated pending diagnosis.

(2) Schools should not be closed or classes discontinued where daily observa-

tion of the children by a physician or nurse is provided for.

(3) Education as to special danger of exposing young children to those ex-

hibiting acute catarrhal symptoms of any kind.

(4) In institutional outbreaks immunization with convalescent serum of all minor inmates who have not had measles is of value in checking the spread of infection and in reducing mortality.

REGULATION 28.—MENINGOCOCCUS MENINGITIS

(Epidemic cerebrospinal meningitis)

1. Infectious agent.—Meningococcus; Neisseria intracellularis.

2. Source of infection.—Discharges from the nose and mouth of infected persons. Clinically recovered cases, and healthy persons who have never had the disease but have been in contact with cases of the disease or other carriers, act as carriers and are commonly found, especially during epidemics. Such healthy carriers are not uncommonly found independent of epidemic prevalence of the disease.

3. Mode of transmission.—By direct contact with infected persons and carriers, and indirectly by contact with articles freshly soiled with the nasal and

mouth discharges of such persons.

4. Incubation period.—Two to ten days, commonly seven. Occasionally for longer periods when a person is a carrier for a time before developing the disease.

- 5. Period of communicability.—During the clinical course of the disease and until the specific organism is no longer present in the nasal and mouth discharges of the patient. The same applies to healthy carriers so far as affects persistence of infectious discharges.
- 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms, confirmed by the microscopic and bacteriological examination of the spinal fluid, and by bacteriological examination of nasal and pharyngeal secretions.

(2) Isolation of infected persons until 14 days after onset of the disease.

Placard.

(3) Immunization by the use of vaccines is still in the experimental stage.

(4) Quarantine: None.

(5) Concurrent disinfection of discharges from the nose and mouth and of articles soiled therewith.

(6) Terminal disinfection: Cleaning.

 (B) General measures—
 (1) Search for carriers among families and associates of recognized cases by bacteriological examination of posterior nares of all contacts.

(2) Education as to personal cleanliness and necessity of avoiding contact

and droplet infection.

(3) Prevention of overcrowding such as is common in living quarters, transportation conveyances, working places, and places of public assembly in the civilian population, and in inadequately ventilated closed quarters in barracks, camps, and ships among military units.

(C) Epidemic measures-

(1) Increase the separation of individuals and the ventilation of living and sleeping quarters for such groups of people as are especial y exposed to infection because of their occupation or some necessity of living conditions. Bodily fatigue and strain should be minimized for those especially exposed to infection.

(2) Carriers should be quarantined until the nasal and pharyngeal secretions are proved by bacteriological examination to be free from the infecting

organism.

REGULATION 29.-MUMPS

1. Infectious agent.—Unknown.

2. Source of infection.—Secretions of the mouth and possibly of the nose.

3. Mode of transmission .- By direct contact with an infected person or with articles freshly soiled with the discharges from the nose or throat of such infected person.

4. Incubation period.—From 12 to 26 days. The most common period, 18 days, accepted as usual. A period of 21 days is not uncommon.

5. Period of communicability.-Unknown, but assumed to persist until the parotid gland has returned to its normal size.

6. Methods of control.—(A) The infected individual and his environment— 1. Recognition of the disease: Inflammation of Stenson's duct may be of assistance in recognizing the early stage of the disease. The diagnosis is usually made on swelling of the parotid gland.

2. Isolation: Separation of the patient from nonimmune children and exclusion of the patient from school and public places for the period of presumed

infectivity. (See 5.) Placard.

3. Immunization: None. 4. Quarantine: None. Exposed susceptible persons should be regularly inspected for the onset, the presence of initial symptoms of the disease, such as fever or swelling or pain of the parotid or adjacent lymph glands, for three weeks from the date of last exposure.

5. Concurrent disinfection: All articles soiled with the discharge from the

nose and throat of the patient.

6. Terminal disinfection: None. (B) General measures: None.

REGULATION 30.—PARAGONIMIASIS

(Parasitic hemoptysis)

(a) Infectious disease caused by the Distoma westermanii or Distoma pulmonale.

(b) It is probable that the infection is conveyed only by drinking water containing the parasite.

(c) Seldom seen in United States except among orientals.

(d) The parasite exists in the sputum, which must be examined microscopically to differentiate this disease from tuberculosis.

(e) Observe the same rules concerning sputum as are given for tuberculosis.

REGULATION 31.—PARATYPHOID FEVER

1. Infectious agent.—Paratyphoid bacillus A or B-Salmonella paratyphi, Salmonella schottmulleri.

2. Source of infection.—Bowel discharges and urine of infected persons and foods contaminated with such discharges of infected persons or of healthy carriers. Healthy carriers may be numerous in an outbreak.

3. Mode of transmission.—Directly by personal contact; indirectly by contact with articles freshly soiled with the discharges of infected persons or through milk, water, or food contaminated by such discharges.

4. Incubation period.—Four to 10 days; average, 7 days.

5. Period of communicability.—From the appearance of prodromal symptoms, throughout the illness and relapses, during convalescence, and until repeated bacteriological examination of discharges show absence of the infecting organism.

6. Methods of control.—(A) The infected individual and his environment—

(1) Recognition of the disease: Clinical symptoms, confirmed by specific agglutination test, and by bacteriological examination of blood, bowel discharges,

(2) Isolation: In fly-proof room, preferably under hospital conditions, of such cases as can not command adequate sanitary environment and nursing care in their homes. Placard.

(3) Immunization of exposed susceptibles.

(4) Quarantine: None.

(5) Concurrent disinfection: Disinfection of all bowel and urinary discharges and articles soiled with them.

(6) Terminal disinfection: Cleaning.

(B) General measures-

(1) Protection and purification of public water supplies.

(2) Pasteurization of public milk supplies.

(3) Supervision of other food supplies and of food handlers.2

(4) Prevention of fly breeding.

(5) Sanitary disposal of human excreta.

(6) Extension of immunization by vaccination as far as practicable.

(7) Supervision of paratyphoid carriers and their exclusion from the handling of foods.

(8) Systematic examination of fecal specimens, from those who have been in contact with recognized cases, to detect carriers.

(9) Exclusion of suspected milk supplies pending discovery of the personal

or other cause of contamination of the milk.

(10) Exclusion of water supply if contaminated until adequately treated with hypochlorite or other efficient disinfectant, or unless all water used for toilet, cooking, and drinking purposes is boiled before use.

REGULATION 32.—PLAGUE

(Bubonic, septicemic, pneumonic)

1. Infectious agent.—Plague bacillus, Pasteurella pestis.

2. Source of infection.-Blood of infected persons and animals, and sputum

of human cases of plague pneumonia.

- 3. Mode of transmission .- Direct, in the pneumonic form. In other forms the disease is generally transmitted by the bites of fleas, (Xenopsylla cheopis and Ceratophyllus fasciatus), by which the disease is carried from rats to man; also by fleas from other rodents. Accidental, by inoculation or by the bites of infected animals. Bedbugs may transmit the infection; flies may possibly convey the infection.
- 4. Incubation period.—Commonly from 3 to 7 days, although occasionally prolonged to 8 or even 14 days.

5. Period of communicability.—Until convalescence is well established, period undetermined.

Methods of control.—(A) The infected individual and his environment—

- (1) Recognition of the disease: Clinical symptoms, confirmed by bacteriological examination of blood, pus from glandular lesions, or sputum. Animal inoculation of material from suspected cases.
- (2) Isolation: Patient in hospital if practicable; if not, in a screened room which is free from vermin.³ Placard.

(3) Immunization: Active immunization of those who may be exposed.

(4) Quarantine: Contacts for seven days.

(5) Concurrent disinfection: All discharges and articles freshly soiled therewith.

² The human disease paratyphoid fever should not be confused with cases of food poisoning or infection due to enteritidis bacilli of animal origin.

³ In plague pneumonia, personal prophylaxis to avoid droplet infection must be carried out by persons who come in contact with the sick. Masks of closely woven cloth with mica windows should be worn over the head and to the shoulders. A long gown and rubber gloves drawn over the sleeves of the gown should be provided. These articles should not be removed from the sick room until disinfected.

(6) Terminal disinfection: Thorough cleaning followed by thorough disinfection.

(B) General measures

(1) Extermination of rats and vermin by use of known methods for their destruction; destruction of rats on ships arriving from infected ports; examination of rats, ground squirrels, etc., in areas where the infection persists, for evidence of endemic or epidemic prevalence of the disease among them.

(2) Supervision of autopsies of all deaths during epidemics.

(3) Supervision of the disposal of the dead during epidemics, whether by burial, transfer, or holding in vault, whatever the cause of death.

(4) Cremation, or burial in quicklime, of those dying of this disease.

REGULATION 33.—PNEUMONIA

(Acute lobar)

1. Infectious agent.—Various pathogenic bacteria commonly found in the nose, throat, and mouth, such as the pneumococcus, the bacillus of Friedlander, the influenza bacillus, etc.

2. Source of infection.—Discharges from the mouth and nose of apparently healthy carriers, as well as of recognized infected individuals, and articles

freshly soiled with such discharges.

3. Mode of transmission.—By direct contact with an infected person or with articles freshly soiled with the discharges from the nose or throat of and possibly from infected dust of rooms occupied by infected persons.

4. Incubation period.—Short, usually two to three days.

- 5. Period of communicability.—Unknown; presumably until the mouth and nasal discharges no longer carry the infectious agent in an abundant amount or in a virulent form.
- 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms. Specific infecting organisms may be determined by serological and bacteriological tests early in the course of the disease.

(2) Isolation: Patient during clinical course of the disease.

(3) Immunization: None; vaccines are worthy of further careful trial.

(4) Quarantine: None.

(5) Concurrent disinfection: Discharges from the nose and throat of the patient.

(6) Terminal disinfection: Thorough cleaning, airing, and sunning.

(B) General measures: In institutions and camps, when practicable, people in large numbers should not be congregated closely within doors. The general resistance should be conserved by good feeding, fresh air, temperance in the use of alcoholic beverages, and other hygienic measures.

NOTE.—The early reporting of pneumonia is highly desirable in view of its communicability.

REGULATION 34.—POLIOMYELITIS

1. Infectious agent.—A filterable virus of undetermined morphology.

2. Source of infection.—Nose, throat, and bowel discharges of infected persons or articles recently soiled therewith. Healthy carriers are supposed to be common.

3. Mode of transmission.—By direct contact with an infected person or with a carrier of the virus, or ind rectly by contact with articles freshly soiled with the nose, throat, or bowel discharges of such persons, and probably by drinking milk contaminated by the nose, mouth, and bowel discharges of persons in the active stage of the disease.

4. Incubation period.—Uncertain because of inexact information as to period of communicability and essentials for exposure, but believed to be from 3 to

10 days, commonly 6 days,

5. Period of communicability.—Unknown; apparently not more than 21 days from the onset of disease, but may precede onset of clinical symptoms by several days.

6. Method of control.—(A) The infected individual and his environment— (1) Recognition of the disease: Clinical symptoms, assisted by chemical and microscopical examination of the spinal fluid.

(2) Isolation of all recognized cases for three weeks from febrile onset. Placard. (3) Immunization: None.

(4) Quarantine of exposed children of the household and of adults of the household whose vocation brings them into contact with children, or who are food handlers, for 14 days from last exposure to a recognized case.

(5) Concurrent disinfection: Nose, throat, and bowel discharges and articles soiled therewith.

(6) Terminal disinfection: Cleaning.

(B) General measures during epidemics-

(1) Search for and examination of all sick children should be made.

(2) All children with fever should be isolated pending diagnosis.(3) Education in such technique of bedside nursing as w.ll prevent the

distribution of infectious discharges to others from cases isolated at home.

REGULATION 35.—RABIES

1. Infectious agent.—Unknown.

2. Source of infection.—Saliva of infected animals, chiefly dogs.

3. Mode of transmission .- Inoculation with saliva of infected animals through abrasions of skin or mucous membrane, almost always by bites or scratches.

4. Incubation period.—Usually two to six weeks. May be prolonged to six

months or even longer.

5. Period of communicability.-For 14 days in dogs. (not known in man), before the onset of clinical symptoms and throughout the clinical course of the aggagif

6. Methods of control.—(A) The infected individual and his environment— (1) Recognition of the disease: Clinical symptoms, confirmed by the presence

of Negri bodies in the brain of an infected animal, or by animal inoculations with material from the brain of such infected animal.

- (2) Isolation: None if patient is under adequate medical supervision, and the immediate attendants are warned of possibility of inoculation by human virus.
- (3) Immunization: Preventive vaccination after exposure to infection by inoculation.

(4) Quarantine: None.

(5) Concurrent disinfection of saliva of patient and articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

(B) General measures—
(1) Muzzling of dogs when on public streets or in places to which the public has access.

(2) Detention and examination of dogs suspected of having rabies.

(3) Immediate antirabic treatment of people bitten by dogs or by other animals suspected or known to have rables, unless the animal is proved not to be rabid by subsequent observation or by microscopic examination of the brain and cord.

(4) Annual immunization of dogs where the disease is prevalent. (See Reg. 65, Suspected rabies.)

REGULATION 36.—RELAPSING FEVER

1. Infective agent.—Spiro-Schaudinniae.

2. Source of infection .- Blood of infected persons. 3. Mode of transmission.—By body lice and bedbugs.

4. Incubation period.—Three to ten days. 5. Period of communicability.—Unknown.

6. Methods of control.—(A) The infected individual and his environment— (1) Recognition of the disease: Clinical symptoms, confirmed by examination of the blood.

(2) Isolation in a screened vermin-free room.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: None.

(6) Terminal disinfection: Destroy all lice and bedbugs on body or clothing of patient or in the house. Thorough cleansing.

REGULATION 37.—ROCKY MOUNTAIN SPOTTED OR TICK FEVER

1. Infectious agent.—Dermacentroxenus Rickettsi. This parasite, which belongs to the rickettsial group of organisms, was first described by Wolbach in

1919, and his findings have since been confirmed by Nicholson of the Rockefeller Institute and lately by Parker and Spencer, United States Public Health Service. It is true that all of the phases of this parasite are not known. In other words, the complete life cycle has not been worked out, but that it is the etiological agent there seems to be no doubt.

2. Source of infection.—Blood of infected animals and infected ticks (derma-

centor andersoni).

3. Mode of transmission.—By bites of infected ticks and in the laboratory, by handling infected tissues of ticks and animals.

4. Incubation period.—Three to ten days, usually seven days.

5. Period of communicability.—There is no authentic record of the transfer of the disease from man to man. Ticks may acquire the infection from infected rodents during the febrile stage.

6. Methods of control.—(A) The infected individual and his environment— (1) Recognition of the disease: By clinical symptoms of the disease in areas

where the disease is known to be endemic.

(2) Isolation: None, other than care exercised to protect patients from tick bites when in endemic areas.

(3) Immunization: The use of the Spencer-Parker vaccine in infected areas has given generally favorable results, but is still in the experimental stage.

(4) Quarantine: None.(5) Concurrent disinfection: None. All ticks on the patient should be destroyed.

(6) Terminal disinfection: None.

(B) General measures-

(1) Personal prophylaxis of persons entering the infected zone during the season of ticks, by wearing tick-proof clothing, and careful daily search of the body for ticks which may have attached themselves.

(2) The destruction of ticks by clearing and burning vegetation on the land

in infected zones.

(3) The destruction of ticks on domestic animals by dipping.

(4) The destruction of small mammalian hosts, as ground squirrels, chipmunks, etc.

REGULATION 38.—SCABIES (ITCH)

(a) Infectious.

- (b) The parasite is conveyed by clothing or by direct contact with the patient.
- (c) There can be no incubation period, as the parasite begins its active work immediately when left on the skin.
 - (d) Isolation and extreme cleanliness demanded.(e) Burn or disinfect all contaminated articles.
 - (f) The disease is quickly cured by treatment.

REGULATION 39.—SCARLET FEVER

1. Infectious agent.—Streptococcus scarlatinae,

2. Source of infection .- Discharges from the nose, throat, ears, abscesses or wound surfaces, and articles freshly soiled therewith. The nose and throat discharges of carriers may also spread the disease.

3. Mode of transmission.-Directly by personal contact with an infected person; indirectly by articles freshly soiled with discharges of an infected person, or through contaminated milk, or milk products.

4. Incubation period.—Two to seven days, usually three or four days.

5. Period of communicability.-Three weeks from the onset of the disease, without regard to the stage or extent of desquamation, and until all abnormal discharges have ceased and all open sores or wounds have healed.

6. Methods of control.—(A) The infected individual and his environment-

(1) Recognition of the disease: By clinical symptoms.

(2) Isolation: In home or hospital, maintained in each case until the end of the period of infectivity. If medical inspection is not available, isolation for 28 days from onset. Placard.

(3) Immunization: Exposed susceptibles as determined by the Dick test may

be actively immunized by scarlet fever toxin.

(4) Quarantine: Exclusion of exposed children and teachers from school, and food handlers from their work, until seven days have elapsed since last exposure to a recognized case.

- (5) Concurrent disinfection: Of all articles which have been in contact with a patient and all articles soiled with discharges of the patient.
 - (6) Term nal disinfection: Thorough cleaning.

(B) General measures—

- (1) Daily examination of exposed children and of other possibly exposed persons for a week after last exposure.
- (2) Schools should not be closed where daily observations of the children by a physician or nurse can be provided for.

(3) In school and institutional outbreaks immunization of all exposed

children with scarlet fever toxin may be advisable.

(4) Education as to special danger of exposing young children to those exhibiting acute catarrhal symptoms of any kind.

(5) Pasteurization of milk supply.

REGULATION 40 .- SEPTIC SORE THROAT

1. Infectious agent.—Streptococcus (hemolytic type).

2. Source of infection—The human nasopharynx, usually the tonsils, any case of acute streptococcus inflammation of these structures being a potential source of infection, including the period of convalescence of such cases. The udder of a cow infected by the milker is a common source of infection. In such udders the physical signs of mastitis may be absent.

3. Mode of transmission.—Direct or indirect human contact; consumption of raw milk contaminated by case or carrer or from an infected udder.

4. Incubation period.—One to three days.

- 5. Period of communicability.—In man, presumably during the continuance of clinical symptoms; in the cow, during the continuance of discharge of the streptococci in the milk, the condition in the udder tending to a spontaneous subsidence. The carrier stage may follow convalescence and persist for some time.
 - 6. Methods of control.—(A) The infected individual and his environment—
- (1) Recognition of the disease: Clinical symptoms. Bacteriological examination of the lesions or discharges from the tonsils and nasopharynx may be useful.
- (2) Isolation: During the clinical course of the disease and convalescence, and particularly exclusion of the patient from participation in the production or handling of milk or milk products.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: Articles soiled with discharges from the nose and throat of the patient.

(6) Terminal disinfection: Cleaning.

(B) General measures-

(1) Exclusion of suspected milk supply from public sale or use, until pasteurized. The exclusion of the milk of an infected cow or cows in small herds is possible when based on bacteriological examination of the milk of each cow, and preferably the milk from each quarter of the udder at frequent intervals. Exclusion of human cases or carriers from handling milk or milk products.

(2) Pasteurization of all milk.

(3) Education in the principles of personal hygiene and avoidance of the use of common towel, drinking and eating utensils.

REGULATION 41.—SMALLPOX (VARIOLA)

1. Infectious agent.—Unknown.

2. Source of infection.—Lesions of the mucous membranes and skin of infected persons.

3. Mode of transmission.—By direct personal contact; by articles soiled with discharges from lesions. The virus may be present in all body discharges, including feces and urine. It may be carried by flies.

4. Incubation period.—Eight to sixteen days. (Cases with incubation period of 21 days are reported.)

⁴ Mastitis in the cow, due to bovine streptococci, is not a cause of septic sore throat in humans unless a secondary infection of the udder by a human type of streptococcus takes place.

5. Period of communicability.—From first symptoms to disappearance of all scales and crusts.

6. Methods of control.—(A) The infected individual and his environment—

(1) Recognition of the disease: Clinical symptoms. Tests for immunity may prove useful. See differential diagnosis, regulation 9.

(2) Isolation: Hospital isolation in screened wards, free from vermin, until the period of infectivity is over. Placard.

(3) Immunization: Vaccination.

(4) Quarantine: Isolation of all contacts until vaccinated with virus of full potency. Daily medical observation of all recently vaccinated contacts until height of reaction is passed, if vaccination was performed within 24 hours of first exposure, otherwise for 16 days from last exposure.

(5) Concurrent disinfection of all discharges. No article to leave the surroundings of the patient without boiling or equally effective disinfections.

(6) Terminal disinfection: Thorough cleaning and disinfection of premises.
(B) General measures: General vaccination in infancy, revaccination of children on entering school, and of entire population when the disease appears in a severe form.

Note.—In order to avoid possible complications or secondary and subsequent infections at the site of vaccination, it is important that the vaccination insertion be as small as practicable, not over one-eighth inch in any direction, and that the site be kept dry and cool. The prick-pressure method as recommended by the United States Public Health Service or the single scratch method is preferred. Primary vaccination between the ages of 2 and 3 months is particularly desirable. The time of vaccination should be adjusted to avoid skin lesions elsewhere on the body, in infants to avoid teething, and in older children to avoid the warmer months. Particular care should be used in primary vaccinations beyond the age of infancy.

REGULATION 42-SYPHILIS

1. Infectious agent.—Treponema pallidum.

2. Source of infection.—Discharges from the lesions of the skin and mucous membranes, and the blood of infected persons, and articles freshly soiled with such discharges or blood in which the Treponema pallidum is present.

3. Mode of transmission.—By direct personal contact with infected persons and indirectly by contact with discharges from lesions or with the blood of

such persons.
4. Incubation period.—About three weeks. (In rare instances reported to

have been about as long as 70 days.)

5. Period of communicability.—As long as the lesions are open upon the skin

or mucous membranes at any stage of the disease.

6. Methods of control.—(A) The infected individual and his environment—
(1) Recognition of the disease: Clinical symptoms confirmed by micro-

scopical examinations of discharges and by serum reactions.

(2) Isolation: Exclusion from sexual contact and from preparation or serving of food during the early and active period of the disease; otherwise, none, unless the patient is unwilling to heed, or is incapable of observing, the precautions required by the medical advisor.

(3) Immunization: None.

(4) Quarantine: None.(5) Concurrent disinfection of discharges and of articles soiled therewith.

(6) Terminal disinfection: None.

(B) General measures-

- (1) Education in matters of sexual hygiene, particularly as to the fact that continence in both sexes and at all ages is compatible with health and normal development.
- (2) Provision for accurate and early diagnosis and treatment, in hospitals and dispensaries, of infected persons, with consideration for privacy of record, and provisions for following cases until cured.

(3) Repression of prostitution by use of the police power and control of use of living premises.

(4) Restriction of sale of alcoholic beverages.

(5) Restriction of advertising of services or medicines for treatment of sex diseases. etc.

(6) Abandonment of the use of common towels, cups, and toilet articles and eating utensils.

(7) Exclusion of persons in the communicable stage of the disease from participation in the preparing and serving of food.

(8) Personal prophylaxis should be advised to those who expose themselves to opportunity to infection. (See Social Hygiene Regulation No. 66.)

REGULATION 43.—TETANUS

- 1. Infectious agent.—Tetanus bacillus, Clostridium tetani,
- 2. Source of infection .- Animal manure, soil, and street dust.
- 3. Mode of transmission .- Inoculation, or wound infection.
- 4. Incubation period.—Four days to three weeks, or longer, if latent bacilli deposited in the tissues are stirred to activity by subsequent chemical or mechanical irritation. Commonly 8 to 10 days.
- 5. Period of communicability.—Patient not infectious except in rare instances where wound discharges are infectious.
 - 6. Methods of control.—(A) The infected individual and his environment—
 (1) Recognition of the disease: Clinical symptoms may be confirmed bac-
- teriologically.
 - (2) Isolation: None.
- (3) Immunization: By at least one, and preferably two, injections of antitoxin.
 - (4) Quarantine: None.
 - (5) Concurrent disinfection: None.
 - (6) Terminal disinfection: None. (B) General measures-
 - (1) Supervision of the practice of obstetrics.
- (2) Educational propaganda such as "safety-first" campaign, and "safe and sane Fourth of July" campaign.
- (3) Prophylactic use of tetanus antitoxin where wounds have been acquired in regions where the soil is known to be heavily contaminated, and in all cases where wounds are ragged or penetrating.
 - (4) Removal of all foreign matter as early as possible from all wounds.
 - (5) Supervision of biological products, especially vaccines and sera.

REGULATION 44.-TRACHOMA

- 1. Infectious agent.-Undetermined.
- 2. Source of infection.—Secretions and purulent discharges from the coniunctiva and adnexed mucous membranes of the infected persons.
- 3. Mode of transmission.—By direct contact with infected persons and indirectly by contact with articles freshly soiled with the infective discharges of such persons.
 - 4. Incubation period.—Undetermined.
- 5. Period of communicability.—During the persistence of lesions of the conjunctiva and of the adnexed mucous membranes or of discharges from such lesions.
- 6. Methods of control.—(A) The infected individual and his environment—
- (1) Recognition of the disease; Clinical symptoms. Bacteriological examinations of the conjunctival secretions and lesions may be useful.
 - (2) Isolation: Exclusion of the patient from general school classes.
 - (3) Immunization: None.
 - (4) Quarantine: None.
 - (5) Concurrent disinfection of discharges and articles soiled therewith.
 - (6) Terminal disinfection: None.
 - (B) General measures
- (1) Search for cases by examination of school children, of immigrants, and among the families and associates of recognized cases; in addition, search for acute secreting disease of conjunctiva and adnexed mucous membranes, both among school children and in their families, and treatment of such cases until cured.
 - (2) Elimination of common towels and toilet articles from public places.
- (3) Education in the principles of personal cleanliness and the necessity of avoiding direct or indirect transference of body discharges.
- (4) Control of public dispensaries where communicable eye diseases are treated.

REGULATION 45.—TRICHINOSIS

- 1. Infectious agent.—Trichinella spiralis.
- 2. Source of infection.—Uncooked or insufficiently cooked meat of infected hogs.
 - 3. Mode of transmission.—Consumption of undercooked infected pork products.
 - 4. Incubation period.-Variable; usually about one week.
 - 5. Period of communicability.—Disease is not transmitted by human host.

6. Methods of control.—(A) The infected individual and his environment-(1) Recognition of the disease: Clinical symptoms confirmed by microscopical examination of muscle tissue containing trichinae.

(2) Isolation: None.

(3) Immunization: None. (4) Quarantine: None.

(5) Concurrent disinfection: Sanitary d sposal of the feces of the patient.

(6) Terminal disinfection: None.

(B) General measures

(1) Inspection of pork products for the detection of trichinosis.
(2) Thorough cooking of all pork products at a temperature of 160° F or over.

REGULATION 46.—TUBERCULOSIS (PULMONARY)

1. Infectious agent.—Tubercle bacillus (human), Mycobacterium tuberculosis (hominis).

2. Source of infection.—The specific organism present in the discharges, or articles freshly soiled with the discharges from any open tuberculous lesions, the most important discharge being sputum. Of less importance are discharges from the intestinal and genitourinary tracts, or from lesions of the lymphatic glands, bone, and skin.

3. Mode of transmission .- Direct or indirect contact with an infected person by coughing, sneezing, or other droplet infection, kissing, common use of unsterilized food utens ls, pipes, toys, drinking cups, etc., and possibly by con-

taminated flies and dust.

- 4. Incubation period.—Variable and dependent upon the type of the disease. 5. Period of communicability.—Exists as long as the specific organism is eliminated by the host. Commences when a lesion becomes an open one—i. e., discharging tubercle bacilli, and continues until it heals or death occurs.
- 6. Methods of control.—(A) The infected individual and his environment-(1) Recognition of the disease—By thorough physical examination supplemented by use of the X-ray and specific skin reactions when necessary and confirmed by bacteriological examinations of sputum or other materials.

(2) Isolation of such "open" cases as do not observe the precautions neces-

sary to prevent the spread of the disease.

(3) Immunization: None.

(4) Quarantine: None.(5) Concurrent disinfection of sputum and articles soiled with it. Particular attention should be paid to prompt disposal or disinfection of sputum itself, of handkerchiefs, cloths, or paper soiled therewith, and of eating utensils used by the patient.

(6) Terminal dis nfection: Cleaning and renovation,

(B) General measures—
(1) Education of the public in regard to the dangers of tuberculosis and the methods of control, with especial stress upon the danger of exposure and infection in early childhood.

(2) Provision of dispensaries and visiting-nurse service for discovery of

early cases and supervision of home cases.

(3) Provision of hospitals for isolation of advanced cases, and sanatoria for the treatment of early cases.

(4) Provision of open-air schools and preventoria for pretuberculous children.

(5) Improvement of housing conditions and the nutrition of the poor.(6) Ventilation and elimination of dust in industrial establishments and places of public assembly.

(7) Improvement of habits of personal hygiene and betterment of general living conditions.

(8) Separation of babies from tuberculous mothers at birth.

REGULATION 47.—TUBERCULOSIS (OTHER THAN PULMONARY)

1. Infectious agent.—Tubercle bacillus (human and bovine), Mycobacterium tuberculosis (hominis et bovis).

2. Source of infection .- Discharges from mouth, nose, bowels, and genitourinary tract of infected humans; articles freshly soiled with such discharges; milk from tuberculous cattle; rarely the discharging lesion of bones, joints, and lymph nodes.

3. Mode of transmission.—By direct contact with infected persons, by contaminated food, and possibly by contact with articles freshly soiled with the discharge of infected persons,

4. Incubation period.—Unknown.

- 5. Period of communicability.-Until lesions are healed.
- 6. Methods of control.—(A) The infected individual and his environment— (1) Recognition of the disease: Clinical symptoms confirmed by bacteriological and serological examinations.

(2) Isolation: None.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: Discharge and articles freshly soiled with them.

(6) Terminal disinfection: Cleaning.

(B) General measures

(1) Pasteurization of milk and inspection of meats.

(2) Eradication of tuberculous cows from milch herds used in supplying raw milk.

(3) Patients with open lesions should be prohibited from handling foods which are consumed raw.

REGULATION 48.—TULAREMIA

1. Infectious agent.—Bacterium tularense; Pasteurella tularensis.

2. Source of infection.-Wild rabbits and ground squirrels; also infected laboratory animals—infected flies (Chrysops discalis) and ticks (Dermacentor

andersoni).

3, Mode of transmission .- By bites of infected flies and ticks and by inoculation through handling infected animals, as in dressing rabbits for market and cooking, or in performing necropsies on infected laboratory animals. Eye infections have been caused by contamination of the conjunctival sac with portions of the internal organs or with the body fluids of infected flies, ticks, and wild rabbits.

4. Incubation period.—From 24 hours to 9 days; average slightly more than 3 days.

5. Period of communicability.—There is no authentic record of transfer of the disease from man to man. The infection has been found in the blood during the first two weeks; in conjunctival scrappings and in lymph glands up to 17 days; in the spleen taken at autopsy up to 26 days. Flies are infective for 14 days, ticks throughout their lifetime. Refrigerated wild rabbits are infective for three weeks.

6. Methods of control.—(A) The infected individual and his environment— (1) Recognition of the disease: By clinical symptoms of the disease, by ani-

mal inoculation of infected material, and by agglutination reactions.

(2) Isolation: None.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: Disinfection of discharges from the ulcer, lymph glands, or conjunctival sac.

(6) Terminal disinfection: None.

(B) General measures— (1) Avoidance of the bites of, or handling of, flies and ticks when working in the infected zones during the seasonal incidence of the deer fly and tick.

(2) The use of rubber gloves by persons engaged in dressing wild rabbits wherever taken, or when performing necropsies on infected laboratory animals. Employment of immune persons for dressing wild rabbits or conducting laboratory experiments. Thorough cooking of meat of wild rabbits.

REGULATION 49.—TYPHOID FEVER

1. Infectious agent.—Typhoid bacillus, Eberthelda typhi.

2. Source of infection.—Bowel discharges and urine of infected individuals.

Healthy carriers are common.

- 3. Mode of transmission.—Conveyance of the specific organism by direct or indirect contact with a source of infection. Among indirect means of transmission are contaminated water, milk, and shellfish. Contaminated flies have been common means of transmission in epidemics.
 - 4. Incubation period.—From 7 to 23 days, averaging 10 to 14 days.

5. Period of communicability.—From the appearance of prodromal symptoms, throughout the illness and relapses during convalescence, and until repeated bacteriological examinations of the discharges show persistent absence of the infecting organism.

6. Methods of control.—(A) The infected individual and his environment—
(1) Recognition of the disease: Clinical symptoms, confirmed by specific agglutination test and bacteriological examination of blood, bowel discharges, or

urine

- (2) Isolation: In fly-proof room, preferably under hospital conditions, of such cases as can not command adequate sanitary environment and nursing care in their homes. Release from isolation should be determined by two successive negative cultures of stool and urine specimens collected not less than 24 hours apart. Placard.
- (3) Immunization: Of susceptibles in the family or household of the patient who have been exposed, or may be exposed during the course of the disease.

(4) Quarantine: None.

(5) Concurrent disinfection: Disinfection of all bowel and urinary discharges and articles soiled with them.

(6) Terminal disinfection: Cleaning.

(B) General measures-

(1) Protection and purification of public water supplies.

(2) Pasteurization of public milk supplies.

(3) Supervision of other food supplies, and of food handlers.

(4) Prevention of fly breeding.

(5) Sanitary disposal of human excreta.

(6) Extension of immunization by vaccination as far as practicable in communities where the disease is prevalent.

(7) Supervision of typhoid carriers and their exclusion from the handling of foods.

(8) Systematic examination of fecal specimens from those who have been in contact with recognized cases, to detect carriers.

(9) Persons who fail to show a strongly positive Widal reaction and contemplate traveling, should protect themselves by vaccination.

(10) Exclusion of suspected milk supplies pending discovery of the person or other cause of contamination of the milk.

(11) Exclusion of water supply, if contamfnated, until adequately treated with hypochlorite or other efficient disinfectant, or unless all water used for toilet, cooking, and drinking purposes is boiled before use.

REGULATION 50.-TYPHUS FEVER

1. Infectious agent.—Rickettsia prowazeki is believed to be the causative agent.

2. Source of infection.—The blood of infected individuals.

3. Mode of transmission.—Infectious agent transmitted by lice, (Pediculus corporis, P. capitis.)

4. Incubation period.—Five to twenty days, usually 12 days.

5. Period of communicability.—Until 36 hours have elapsed after the temperature reaches normal.

6. Methods of control.—(A) The infected individual and his environment—
(1) Recognition of the disease: Clinical symptoms. Confirmation by agglutination tests. ("Weil Felix" reactions)

nation tests, ("Weil-Felix" reactions).
(2) Isolation: In a vermin-free room. All attendants should wear vermin-

proof clothing. Placard.
(3) Immunization: Methods for immunization not generally accepted.
(4) Quarantine: Exposed susceptible for 14 days after last exposure.

(5) Concurrent disinfection: None.

(6) Terminal disinfection: Destroy all vermin and vermin eggs on body of patient, if not already accomplished. Destroy all vermin and eggs on clothing. Rooms to be rendered free from vermin.

(B) General measures: Delousing of persons, clothing, and premises during epidemics, or when they have come or have been brought into an uninfected place from an infected community.

REGULATION 51.-WHOOPING COUGH

 Infectious agent.—Pertussis bacillus of Bordet and Gengou, Hemophilus pertussis. 2. Source of infection.—Discharges from the laryngeal and bronchial mucous membranes of infected persons, (rarely also of infected dogs and cats, which are known to be susceptible).

3. Mode of transmission .- Contact with an infected person or animal or with

articles freshly soiled with the discharges of such persons or animals.

4. Incubation period.—Commonly 7 days, almost uniformly within 10 days.
5. Period of communicability.—Particularly communicable in the early catarrhal stages before the characteristic whoop makes a clinical diagnosis possible. The catarrhal stage occupies from 7 to 14 days. After the characteristic whoop has appeared the communicable period continues certainly for three weeks. Even if the spasmodic cough with whoop persists longer than this it is most unlikely that the infecting organism can be isolated from the discharges. The communicable stage must be considered to extend from seven days after exposure to an infected individual to three weeks after the development of the characteristic whoop.

6. Methods of control.—(A) The infected individual and his environment—
(1) Recognition of the disease: Clinical symptoms supported by a differential leukocyte count and confirmed where possible by bacteriological examination of bronchial secretions. A positive diagnosis may be made by bacteriological examination of laryngeal discharges as early as one week before the development

of the characteristic whoop.

(2) Isolation: Separation of the patient from susceptible children, and exclusion of the patient from school and public places for the period of presumed infectivity. Placard.

(3) Immunization: Use of prophylactic vaccination recommended by some

observers. Not effective in all cases.

- (4) Quarantine: Limited to the exclusion of nonimmune children from school and public gatherings for 10 days after their last exposure to a recognized case.
 (5) Concurrent disinfection: Discharges from the nose and throat of the patient and articles soiled with such discharges.
 - (6) Terminal disinfection: Cleaning of the premises used by the patient.(B) General measures: Education in habits of personal cleanliness and in the

dangers of association or contact with those showing catarrhal symptoms with cough.

REGULATION 52.—YELLOW FEVER

1. Infectious agent.—Unknown.

Source of infection.—The blood of infected persons.
 Mode of transmission.—By the bite of infected Ædes ægypti mosquitoes.

Incubation period.—Three to five days, occasionally six days.
 Period of communicability.—First three days of the fever.

6. Methods of control.—(A) The infected individual and his environment—

(1) Recognition of the disease: Clinical symptoms.

(2) Isolation: Isolate from mosquitoes in a special hospital ward or thoroughly screened room. If necessary the room or ward should be freed from mosquitoes by fumigation. Isolation necessary only for the first three days of the fever. Placard.

(3) Immunization: None.

(4) Quarantine: Contacts for six days.

(5) Concurrent disinfection: None.

(6) Terminal disinfection: None. Upon termination of case the premises should be rendered free from mosquitoes by fumigation.

(B) General measures: Eliminate mosquitoes by rendering breeding impossible.

(C) Epidemic measures-

(1) Inspection service for the detection of those ill with the disease.

(2) Fumigation of houses in which cases of disease have occurred and of all adjacent houses.

(3) Destruction of *Ædes ægypti* mosquitoes by fumigation; use of larvicides; eradication of breeding places.

REGULATION 53.—INFECTIOUS AND CONTAGIOUS DISEASES AMONG DOMESTIC ANIMALS

Any person who knows or suspects that any domestic animal is suffering from any infectious or contagious disease communicable to man must immediately report the circumstances to the local health officer, who shall at once investigate and upon finding the reported circumstances to be true he shall report the facts to the State board of health and proceed to handle the case according to the statute.

REGULATION 54.—DISINFECTANTS—DISINFECTION—METHODS

Disinfectants.—Disinfectants are germicidal agents capable of destroying bacteria. An efficient disinfectant for general purposes must have the power of destroying all kinds of bacteria and their spores. There are two classes of disinfectants.

NATURAL AGENTS

Light.—The light of the sun is one of the most important disinfectants. Sunlight retards the growth of many organisms and after a varying number of hours of exposure the vitality of many of the important pathogenic bacteria is destroyed. This agent can not be depended upon at all times and on the clearest days can not penetrate all parts of a house. For these and other reasons sunlight is not a practical disinfectant.

Heat .- Heat is employed in form of fire, hot air, steam, and boiling water.

Fire is a sure disinfectant.

When actual burning is not considered, dry heat is much less effective than moist air.

It is believed all bacteria are destroyed by dry heat within the time stated, at temperatures as follows:

Fahrenheit		Centigrade		Time		
302	degrees	150	degrees	60	minutes	
352	degrees	180	degrees	30	minutes	
392	degrees	200	degrees	2	minutes	

Moist heat in some form is generally preferable when the article to be disinfected will not be damaged by the moisture.

Water.—Boiling in water for 30 minutes destroys all germs.

Steam.—Superheated steam under pressure, (240° F.), will destroy all germs in 10 minutes. This requires apparatus not available in private homes.

CHEMICAL AGENTS

Of the large number of chemical disinfectants, many are of little value. Only a few having reliable bactericidal power will be named here.

Lime.—Lime, quicklime, or calcium oxide, possesses great power as a disinfectant and has the advantage of being inexpensive. Combined with half its weight of water it is slaked to a powder. This powder mixed with water forms "whitewash." Slaked lime combined with water to the consistency of cream forms "milk of lime." It is necessary to obtain unstaked lime, otherwise it may have lost its power as a disinfectant.

Chlorinated lime, (chloride of lime), is a good disinfectant if properly used. When not properly used it is worthless.

Hypochlorite of calcium is reliable for use in contaminated water in reservoirs, lakes, and swimming pools.

Corrosive sublimate.—This is a powerful disinfectant and may be used as a sterilizing agent for the hands, for flat surfaces, and for excreta. Those using

it should be warned concerning its dangerously poisonous character. Sulphur.—Sulphur dioxide is a colorless gas having some value as a disinfectant but serving a more useful purpose as an insecticide for the destruction of mosquitoes, bedbugs, and other insects within a house. It is best used in the form of the flowers of sulphur. When employed as an insecticide no moisture is required, but when used for disinfection in case of pathogenic bacteria water to the amount of at least 3 ounces to each pound of sulphur should be evaporated in the room before the sulphur gas is disengaged.

Sulphur gas, especially in the presence of moisture, injures delicately colored fabrics and works of art as well as articles made from metal.

Formaldehyde,—This is the most practical and efficient disinfectant known; it is also a deodorant. It is not poisonous and does not injure fabrics, colors, metals, and objects of art. Under favorable conditions of temperature and moisture it will destroy all pathogenic germs but is not so certain an insecticide

as sulphur dioxide. In the form of gas, as employed for room disinfection, it.

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is a surface disinfectant only; it will not find its way into tightly bound bundles of clothing or bedding nor will it penetrate into the center of a filthy mass. To make formaldehyde effective the temperature of the room should not be below 65° F. nor the degree of moisture below 65 per cent, which in the climate of Colorado necessitates the addition of moisture to the air in the

room during its use.

Formaldehyde is used for this purpose in two forms: First, as the 40 per cent, aqueous solution, the strongest that can be made, known in commerce as formalin; or secondly, the indistinctly crystalline solid form called paraformaldehyde or by its trade name, paraform. This has now been produced also in the form of dry powder. A 1:19 formalin solution may be profitably used for sterilization of the hands, for washing of flat surfaces, for the immersion of contaminated clothing, and for sterilization of excreta.

Hydrocyanic acid gas.—This is not a disinfectant, properly speaking, as it will not destroy bacteria, but nevertheless it should be considered in this regulation. It is the most certain and deadly poison to animal life. "It destroys infallibly all kinds of vermin, but is on no account to be used without every

precaution, since it is almost instantaneously fatal to human life."

Disinfection.—Much can be done during the progress of a communicable disease to minimize the probability of its transmission to others by attention to disinfection of discharges of all sorts as well as of linen, bedding, dishes, and utensils used about the patient. To lessen the danger, disinfection of these things should be done, so far as possible, at the bedside or within the sick room.

By "terminal disinfection" is meant disinfection done after the recovery or death of the patient and the termination of the quarantine period by the local health officer. The board feels that although the results obtained in some cities since the abandonment of terminal disinfection after certain diseases seems to indicate that heretofore much needless disinfection has been done, the evidence does not yet justify its entire discontinuance. Roseneau says: "If terminal disinfection prevents the occurrence of only a small number of cases, it would still seem to be worth while." A note of warning should be sounded to the effect that in the use of chemical disinfectants there is grave danger that more dependence than is warranted will be placed upon them to the neglect of mechanical cleansing, which if properly carried out will assist materially in rendering rooms, once infected, safe habitations. Ceilings should be cleaned by vacuum cleaners, the dust being afterwards burned; window and door ledges as well as all flat surfaces wiped with a corrosive sublimate (1:1,000) or formalin solution (1:10); and floors scrubbed with the same solution or with hot water and soap. Renewal of the wall paper, repainting of the room, and reapplication of whitewash or calcimine are helpful in this direction.

Rooms.—Not until the removal of the patient should the disinfection of a room and its contents be attempted. Thoroughness is essential, otherwise the

effort is useless. Connecting rooms and hallways may be infected.

Articles of furniture should be removed from the walls, clothing and bedding should be loosely suspended on lines. All cracks and other outlets must be carefully stopped with wet cotton, adhesive paper, or other suitable material. Paper should be pasted over wall registers. If there is a stove in the room its doors should be closed and the openings sealed. Fireplaces must be completely closed. All soiled places on floor, walls, or furniture due to infective material should be wetted with formalin or sublimate solution. Do not begin generation of gas until the room has been completely prepared. After arranging for the generation of the gas, the operator must leave the room at once, close the door, seal the keyhole and cracks under the door and leave the room closed for six hours, and, when possible, for 12 hours.

Sulphur dioxide gas.—This is best produced by burning sulphur in a metallic vessel resting on bricks or stones placed in the bottom of a tub in which there is water of sufficient depth to reach the bottom of the vessel containing sulphur. The tub should be placed in the center of the room; 5 pounds of flowers of sulphur to each 1,000 cubic feet of air space should be placed in the inner vessel, when a teaspoonful of denatured alcohol may be poured on the sulphur

and lighted with a match.

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Formaldehyde gas.-Various methods are in use for producing the required

gas and only those generally accepted will be mentioned here.

Formula A.—For each 1,000 cubic feet of air space use formalin 1 pint, permanganate of potassium 6½ ounces.

The permanganate is placed in a suitable vessel and the formalin poured upon it. A rapid evolution of gas follows and the operator must leave the room quickly. If only a pint of formalin is to be used, a tall earthen or tin vessel holding at least 3 gallons is required on account of the violence of the reaction; for larger amounts a proportionately larger container should be employed. The vessel should be placed in the center of the room; when convenient an outer vessel may be used to catch the overflow, should there be any, on account of the active boiling. It is probably better to liberate moisture in the room as in the use of paraform. All lights and fire must be extinguished before fumigation is begun.

Formula B .- For each 1,000 cubic feet of air space use unslaked lime, 4

pounds; boiling water, 6 quarts; formalin, 2 quarts.

Place the lime in a large washtub in the center of the room, pour the water on the lime, then add the formalin; an additional container should be used for each additional 1,000 cubic feet of air space. In use of formula B no additional moisture is required in the room.

Formula C.—For each 1,000 cubic feet of air space use:	
Sodium dichromate	10 oz.
Formalin	1 pint.
Sulphuric acid, commercial	11/2 fluid oz.

This formula is said to be comparable in its results, as measured by the amount of formaldehyde liberated and rapidity with which this takes place, to formula "A", for which it may be substituted. The sulphuric acid is to be added to the formalin and the mixture allowed to cool when it is poured over the crystals of sodium dichromate spread out in a thin layer over the bottom of a vessel having a capacity of at least ten times the amount of the ingredients used. For this purpose a granite-ware or galvanized-iron bucket can conveniently be used. The sulphuric acid and formalin may be combined and kept in readiness, as they form a stable combination, but care must be taken in handling, since the solution would be slightly corrosive. In the use of this formula the process is so rapid that the health officer must withdraw very promptly from the room in which the disinfection is begun. It is probably better to liberate moisture in the room as in the use of paraform.

If paraform is used, a convenient and effective method is by means of "formaldehyde fumigators," sold now by dealers everwhere. These are put out by manufacturers in three sizes: Small, using one ounce of paraform, sufficient for 500 cubic feet of air space; medium, using one and a half ounces of paraform, sufficient for 700 cubic feet of air space; and large, using two ounces of paraform, sufficient for 1,000 cubic feet of air space, or a room 10 by 12 feet with ceiling 8½ feet high. Careful attention should be given to the detailed directions printed upon the package and especially to the necessity for the liberation of moisture within the room, immediately before fumigation is begun. The necessary moisture may be produced by placing hot bricks in pans of water or by boiling water on a gas or gasoline stove before beginning the disinfection.

All lights and fire must be extinguished before fumigation is begun.

Cyanide fumigation.—For each 1,000 cubic feet of air space one of the following formulæ may be employed:

Potassium cyanide, commercial	5	oz.
Sulphuric acid, commercial (66B)	8	oz.
Water		OZ.
Sodium cyanide, commercial	33/4	oz.
Sulphuric acid, commercial (66B)	5 3/3	OZ.
Water	716	OZ

The sodium cyanide contains more available hydrocyanic acid gas than the potassium cyanide and as it also costs less per ounce, its use is to be preferred.

Directions for use.—The sulphuric acid is added slowly to the water in some earthen or granite ware vessel which is of sufficient size and can stand the heat. The potassium or sodium cyanide is placed in a strong paper bag which is tied and securely fastened to a string attached overhead and passing outside the room, by means of which the bag may be lowered into the acid. If several rooms are to be treated, this arrangement may be used for all and the strings cut in succession, beginning with the one farthest from the exit and placing the cyanide for the halls in two bags, one inside the other, which may be dropped into the acid when passing out. This will delay action for

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sufficient time to permit the operator to escape. The building must be kept securely closed for one hour; it should then be opened in such a manner that no one is exposed to the escaping gas and the air currents be permitted to circulate freely. After the building has been ventilated thoroughly for one

hour it may be entered without danger.

This method is justifiable only in case of typhus or plague, when lice or rats are presumed to be concealed in places where sulphur can not with certainty penetrate. In the hands of experts it may be used to destroy vermin in living quarters, or rats and weevils in mills and elevators, but is not justifiable for this purpose in the hands of the inexperienced. Because of the danger inseparable from this method, it is not recommended by this board.

DISINFECTION IN TYPHOID FEVER

The most certain means of destroying the typhoid bacilli in the excreta, including urine, stools, vomitus, and sputum, is by boiling for half an hour. This should be done in a closely-covered iron pot remote from any kitchen or other place where food is prepared or stored. It is especially urged upon hospitals, sanatoria, and public institutions of whatever character that they install suitable apparatus for the sterilization by this method of typhoid ex-

creta and unused fragments of food.

Where the former method is not possible the following may be substituted: In a large earthen container, or if this is not available, in a galvanized iron or graniteware bucket, in either case having a well-fitting cover, place the excreta or food fragments and cover entirely with boiling water. Then add about one-fourth of the entire bulk of quicklime, which should be broken into pieces and distributed over the mass. Cover and allow to stand for 2 hours, when it may be deposited in a water-closet or vault. Care must be taken that the water

is hot and that the quicklime is fresh.

Another fairly effective method is by the use of either milk of lime (one part of freshly slaked lime to eight parts water), clorinated lime (6 ounces per gallon of water), carbolic acid (5 per cent) or formalin (10 per cent). The discharges should be received in a vessel containing a portion of the germicidal solution and more should be added so as to cover the mass and be equal to at least twice the volume of the material to be disinfected. The contents of the vessel should then be thoroughly stirred, especial care being taken to disintegrate all solid masses. The vessel should then be closely covered and allowed to stand for at least 2 hours, when the contents may be placed in the watercloset or vault. These methods are preferred in the order in which they are enumerated.

Dishes and utensils of every description, also linen and cloths of every sort used about the bed or the person of the patient, should be sterilized by boiling

for at least a full half hour.

After every stool the patient should be cleansed, using a compress of cloth or cotton wet with a solution of mercuric chloride (1:2,000) or carbolic acid

When the patient leaves the sick room, the room should be fumigated with formaldehyde gas according to methods already given, after which all linen, blankets, curtains, etc., should be boiled and all surfaces wiped with carbolic acid (1:20) or formalin (1:10). For nonmetallic surfaces corrosive sublimate (1:1,000) may be used.

DISINFECTION IN CHOLERA, DYSENTERY, AND PARATYPHOID FEVER

The methods for disinfection in typhoid fever are also designated for use in

cholera, dysentery, and paratyphoid fever.

Sputum.—In all diseases of the respiratory tract, the simplest and best way for disposing of the sputum is to receive it in special paper containers or paper napkins. After use these paper receptacles must be burned.

Water-closets.-Disinfection of water-closet bowls and the woodwork about them may be accomplished by using dilute (1:10) formalin. Sublimate solu-

tion should not be used about plumbing fixtures.

Mattresses and heavy clothes.—Heavy clothing, mattresses, pillows, and similar articles polluted by dejecta and other infective matter should be burned or sterilized by steam. Mattresses containing cheap material may have contents burned and the ticking disinfected by boiling. Carpets are best fumigated on the floor and afterwards beaten or steam cleaned.

Bed linen and light clothing.—Contaminated body linen, bed linen, towels, napkins, washcloths, handkerchiefs, and similar articles, should be immersed for 1 hour in a sublimate solution of 1:1,000 or a 5 per cent solution of formalin and then boiled for half an hour. Clorinated lime will damage linens. The infected linens must be removed from the room in a closed vessel or wrapped in a sheet saturated with carbolic acid (1:20) or sublimate solution (1:1,000).

Upholstered furniture.—Upholstered furniture, after fumigation in the room, should be taken outdoors, well beaten, and left for a while exposed to the sunlight. If the furniture is upholstered in leather, all parts of it should be well wiped with a cloth wet with sublimate solution (1:1,000) or formalin (1:10).

Eating utensils.—All eating utensils used by a patient who is suffering from a communicable disease should be boiled. Remains of food must be destroyed.

Dogs and cats.—Dogs, cats, or other domestic animals should never be permitted in a house where any communicable disease exists. Any domestic animal supposedly infected by reason of being near a person suffering with a communicable disease or by being in a room where a communicable disease exists must be disinfected immediately in same manner as a person is disinfected.

Books.—Books belonging to public libraries or schools must not be taken into private homes where a communicable disease exists. Books already in any house in which a communicable disease develops must not be returned to the library or school, but to the local health officer. Library or school books from houses in which scarlet fever, diphtheria, or smallpox exists must be burned. When the infection is due to any other disease than those named above the books must be burned or disinfected, as determined by the health officer.

It is extremely difficult to disinfect books successfully. Books are best disinfected by formalin, the books being suspended on wire in a small closed room or box in such a manner as to expose the surfaces of as many leaves as possible. If books have not been handled by infected persons, disinfection between pages may not be essential.

Hands.—In nursing patients who are suffering from infectious disease, the hands unavoidably become infected. Immediately following every act by which the hands may become infected, they should be thoroughly washed with soap and water. Sometimes it is well to follow the cleansing by the immersion of the hands in a 1:1,000 sublimate solution or carbolic acid (1:20).

Disinfection of person.—Wash thoroughly the entire body, including face and scalp, with hot water and soap. Follow this by bathing every part with a solution of corrosive sublimate 1 to 4,000.

Before beginning the disinfection every piece of clothing must be removed from the body. After the disinfection of the body dress the person with absolutely sterile clothing.

Cleanliness.—Disinfection alone does not sufficiently protect the people against communicable disease. Perfect cleanliness must be insisted upon at all times. These suggestions apply to persons, clothing, articles within the home, public places, places of business, and the private home.

REGULATION 72.—RULES FOR EMBALMERS

(a) In the preparation of bodies for burial or transportation, the following precautions shall be taken by the embalmer when death has resulted from any communicable disease:

In case of death caused by a communicable disease, the body must be properly disinfected. Except where the room containing the body has been previously disinfected by the health authorities, the embalmer, before entering such room, shall don outer garments of rubber or cloth completely covering the body, and a cap to cover the hair. Upon leaving the room, these shall be removed and be placed in a bag wrapped in a sheet or other covering, all of which shall be disinfected by formaldehyde fumigation, or by boiling in water, as soon thereafter as possible. He shall also, before leaving the house, thoroughly disinfect his hands, giving especial attention to the fingernails.

(b) All knives, trocars, needles, syringes, and other instruments, and all vessels, sponges, gloves, cooling boards, or other things taken into the room or used in embalming or otherwise in preparation of such dead bodies, shall be thoroughly disinfected immediately after being used.

(c) All fluids or other matter removed from such bodies in the process of embalming shall be mixed with an equal quantity of a 5 per cent solution of either formalin or cresol compound for purpose of disinfection.

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Funerals.—No public funeral shall be permitted in case of death caused by anthrax, cholera, diphtheria, gianders, leprosy, epidemic cerebrospinal meningitis, (meningococcus meningitis), scarlet fever, septic sore throat, smallpox,

and poliomyelitis.

The family of the deceased shall in all such cases limit the attendance to as few adults as possible, always excluding children, and shall take all necessary steps to prevent the exposure of other persons to contagion or infection. The person authorizing the public notice of death from such causes shall have the name of the disease stated in such public notice. The body of any person who dies of any disease named in this regulation must be properly disinfected and placed in a tightly sealed coffin which shall not thereafter be opened. The funeral of such person must be strictly private.

Venereal Diseases—Reports of Cases—Exposure of Others by Infected Person Unlawful—Records by Physicians—Information to Be Given Patient—Laboratory Examinations—Records and Reports by Local Health Officers—Sale of Medicine—Duties of Dentists—Examination of Suspected Cases—Quarantine—Isolation—Records to be Confidential—Repression of Prostitution—Issuance of Certificates of Freedom from Infection—Powers and Duties of Local Health Officers—Examination and Treatment of Inmates of Institutions—Prohibited Occupations and Acts—Operation of Clinics—Placarding—Removal of Infected Prostitutes to Another Health Jurisdiction—Refusal to Give or Giving of False Information Unlawful—Cooperation with United States Public Health Service. (Reg. Bd. of H., September 2, 1927)

[Regulation 66.]

Rule 1. Venereal disease declared dangerous.—Syphilis, gonorrhea, and chancroid, hereinafter designated as venereal diseases, are hereby declared to be contagious, infectious, communicable and dangerous to the public health. Any person infected with one of these diseases must not expose another person to infection nor shall any person perform or commit any act which exposes any

other person to infection with any venereal disease.

(Town or City)

Rule 2. Venereal disease to be reported.—Any physician, interne, or other person who makes a diagnosis in, prescribes for or treats a case of venereal disease, and any superintendent or manager of a State, county, or city hospital, sanitarium, dispensary, or charitable or penal institution in which there is a case of venereal disease, shall report such case in writing to the local health officer having jurisdiction, within 48 hours. Said report must be made by completely filling out a blank form supplied by the director of the division of social hygiene of the Colorado State Board of Health. Each case reported must have a case number which shall correspond with a case number kept by the physician or other person reporting and all other information indicated by the following blank form:

REPORT OF VENEREAL DISEASE TO LOCAL HEALTH OFFICER

(p) Name of physician reporting? Remarks:

Following to be filled out by local health officer:	
Name of health officer	
P. O. Address	
Municipality or health district	
Serial number of this report	
Note.—Reporting is necessary:	
To trace source of infection.	
To make possible the enforcement of effective treatment.	

To supply statistical information as follows:

To supply statistical information as follows:
The prevelence of venereal diseases within a given population.
The part played by prostitution, commercialized and clandestine, in spreading infection.
The part played by congenital infection.
The relation of infection to the sexes, conjugal condition, race, age, social, and industrial groups.
The relation of alcohol to venereal disease.
The relation of narcotics to general infection.
The relation of venereal diseases to insanity, to feeble-mindedness, to delinquencies, to tuberculosis.

Rule 3. Ophthalmia neonatorum.—(a) Every case of ophthalmia neonatorum due to gonorrheal infection shall be reported by the attending physician, midwife, or other person having knowledge of the case in same manner as specified in rule 2 for reporting all cases of venereal disease.

(b) Ophthalmia neonatorum due to gonorrheal infection, in so far as these rules will apply, must be handled in the same manner as other cases of

gonorrheal infection.

RULE 4. Physicians must keep record.—Every physician is required and hereby directed to keep a private record of each patient having venereal disease, including the name of the municipality or health district in which the patient resides, a corresponding case number, name, and post-office address. No prescription shall be written or professional services rendered in case of venereal disease unless the name, address, and occupation of the patient is first

RULE 5. Change of physician to be reported to physician first consulted .--When a person applies to a physician or other person for treatment of a venereal disease it shall be the duty of the physician or person consulted to inquire of and ascertain from the person seeking treatment whether such person has heretofore consulted with or been treated by any other physician or person; and if so, to ascertain the name and address of the physician or person last consulted. It shall be the duty of the applicant for treatment to furnish this information, and a refusal to do so or a false statement of the name and address of the physician or person consulted shall be deemed a violation of law. It shall be the duty of the physician whom the applicant consults or employs to notify the physician last consulted or employed of the change of advisers. Should the physician or person previously consulted fail to receive such notice within 14 days after the last appearance of such venereal diseased person it shall be the duty of such physician to report to the local health officer the name and address of such venereally diseased person.

RULE 6. Patients to be given information .- It shall be the duty of every physician who examines or treats a person having venereal disease to instruct him in measures for preventing the spread of such disease, and inform him of the necessity for treatment until cured, and to hand him printed information obtainable for this purpose from the director of the division of social hygiene.

Rule 7.—Doubtful diagnosis.—Any person being treated for a venereal disease who may suspect an incorrect diagnosis of his disease, or who may have a suspicion that he is being continued under treatment an unnecessary period of time, or who has been threatened that his identity will be revealed if he discontinues treatment may apply to the local health authorities or the director of the division of social hygiene for advice, or he may transfer to another physician in accordance with the provisions of rule 5.

RULE 8. Laboratory service rendered for physicians.—The director of the division of social hygiene shall arrange for free laboratory service to all practicing physicians and health officers of Colorado by furnishing them, through local health officers or otherwise, with tubes, slides, and mailing cases for transmission of smears and blood samples through the mails for examination in cases of patients unable to pay for service.

The serologist for the division of social hygiene shall make serological and bacteriological examinations on request of the director as follows:

(a) Examination of pus smears and urinary sediment for gonococcus.

(b) Complement fixation test for systemic gonorrhea.

(c) Examination of smears from suspected cases of syphilis for the spirochaeta pallida.

(d) Examination of blood or spinal fluid in suspected cases of syphilis by the Wassermann method or some of its modifications. In reporting result of

examination the degree of inhibition of hemolysis shall be stated.

RULE 9. Local health officers must report.—Any local health officer on receiving a report of a case of venereal disease must make proper record, including a serial number which also must be written by him on the blank form as indicated in rule 2, and within 24 hours must forward original report to the director of the division of social hygiene, State Office Building, Denver.

Rule 10. Medicines and remedies sold on prescription only.—No medicine, remedy, or preparation of any kind intended to be used for the relief or cure of venereal disease shall be sold to any one by a druggist or other person except upon the original written prescription of a licensed practicing physician in Colorado, which prescription shall bear the name and address of the prescribing physician, a case number which shall be identical with the number used by the physician in reporting the case to the local health officer, and the name of the municipality or health district in which the patient resides. Said prescription shall not be refilled nor copy given except to a duly authorized health officer. All prescriptions in cases of venereal disease shall be subject to inspection by

authorized health officers and kept on file for a period of two years.

RULE 11. Dentists.—Any dentist who may suspect a patient of being infected with a venereal disease by reason of diseased patches in throat or mouth or by reason of an eruption, or for any other reason, shall make proper inquiry of the patient as to the abnormal conditions noticed and whether diagnosis has been made and treatment rendered by any physician. Should the dentist after making inquiry still suspect that the patient may be infected with a venereal disease and also learn that such patient is not under the care of a licensed physician, then such dentist shall report the case to the local health officer having jurisdiction, who shall make proper investigation, provided that said patient may be given an opportunity to consult a licensed physician and promptly furnish the dentist with satisfactory evidence of such consultation, in which case no report need be made by the dentist. As a means of venereal prophylaxis any and all instruments used by dentists in treatment of patients must be thoroughly sterilized by boiling after use in treatment or examination of any patient before the same instruments are used in treatment or examination of another patient, provided that any instruments which would be damaged by boiling may be sterilized by some other reliable method. If alcohol is used for sterilization of instruments, it is believed that a 70 per cent to 73 per cent grade is more efficient than pure alcohol.

RULE 12. Powers and duties of health officers; detention and isolation.—It is hereby made the duty of the local health officer when in his judgment it is necessary to protect the public health, and he is hereby directed and empowered

as follows:

(a) To make examinations of persons reasonably suspected of having syphilis, gonorrhea, or chancroid in the infectious stages. Owing to the prevalence of such diseases among prostitutes, pimps, procurers, persons guilty of lewd and lascivious conduct, and persons who associate with prostitutes, all such persons shall be considered within the above class.

(b) To quarantine or isolate persons infected with any of said diseases whenever quarantine or isolation is necessary to protect the public health and when necessary to place them for treatment in a detention hospital. In establishing quarantine the local health officer shall define the limits of the area in which the person known to have venereal disease and his or her immediate attendants are to remain, and no person, other than the attending physician, shall enter or leave the area without the permission of the local health officer.

(c) In making examinations and inspections of women for the purpose of ascertaining the existence of venereal disease, to appoint women physicians for said purpose where the services of a woman physician are requested and it is

(d) In cases of quarantine or isolation, not to terminate said quarantine or

isolation until the cases have become noninfectious.

(e) To keep all records of said examinations from public inspection and to make every reasonable effort to keep secret the identity of those affected by venereal disease control measures, as far as may be consistent with the protection of the public health.

(f) Inasmuch as prostitution is the most prolific source of venereal disease, the local health officer and all other officers shall use every proper means of suppressing the same, and all such officers are hereby prohibited from issuing cer-

tificates or other evidence of freedom from venereal disease.

Rule 13. Reporting arrests.—It shall be the duty of the chief of police, or of any peace officer within the State of Colorado, to cause all persons arrested for being found in a disorderly house, or for prostitution or lewdness, and all other persons held under arrest, who are suspected of having venereal disease, to be examined, and if any of such persons are found to be infected with any venereal disease, or to have been exposed to the same, to report the same immediately to

the local health officer having jurisdiction.

Rule 14. Examination and treatment of inmates of institutions.—Any person committed to, detained, imprisoned, or confined for a definite or indefinite period of time in any State, county, or city hospital for insane, institution for feeble-minded, industrial school for boys or girls, home for dependent children, reformatory or prison, or any private or charitable institution where any person may be confined, detained, or imprisoned by order of court in this State, shall be examined for, and, if infected, treated for venereal disease. If the person examined is found to be infected with any venereal disease in an infectious stage, such person shall be promptly quarantined or isolated until such time as it may be definitely ascertained that isolation may be terminated without endangering the health of other inmates or the health of the public.

The managing authorities of any institution in the State of Colorado of the kind or character designated in this rule are directed to make available such portion of the institution as may be necessary for a clinic or hospital where all inmates infected with venereal disease may be properly treated. Persons suffering with venereal disease at the time of the expiration of their imprisonment or confinement may be isolated and treated at public expense or required to report for treatment to a licensed physician. All inmates of institutions of the kind and character mentioned in this section who are infected with venereal disease must be treated without unnecessary delay in a manner satisfactory to

the director of the division of social hygiene.

Rule 15. Persons who may be isolated, quarantined, or treated under the provision of the law shall be isolated and treated at public expense until cured, or, in lieu of such isolation, any such persons may, in the discretion of proper health authority, be required to report for treatment to a licensed physician or submit to treatment provided at public expense. The director of the division of social hygiene is authorized and empowered to arrange for hospitalization and to provide and furnish such medical treatment as may be necessary.

RULE 16. Occupations forbidden to persons infected with venereal disease in the infectious stage.—(a) Occupations: No person infected with venereal disease in an infectious stage shall engage in the occupation of nurse, nursemaid, domestic servant, baker, barber, cosmetologist, hairdresser, chiropodist, mani-

curist, bath attendant, soda fountain dispenser, or mas eur.

(b) Food: No employer shall require or permit any person who is infected with venereal disease in an infectious stage to work in a building, room, basement, cellar, or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution, or transportation of foods, baked goods, drugs, or beverages. No person infected with venereal disease in an infectious stage shall be permitted to engage in any occupation in connection with a dairy; or with the handling of milk, cream, ice cream, or other food products; or to serve as cook, waiter, waitress, or otherwise in any hotel, restaurant, or boarding house; or in any hospital, sanatorium, or other institution where in the performance of his duties he either handles or comes in contact with food or drink for others.

(c) Laundry: No person infected with venereal disease in an infectious stage shall be permitted to work in any capacity in any public laundry. Proprietors or persons in charge of laundries shall not be permitted to employ in their laundries in any capacity persons known to be infected with venereal disease

in the infectious stage.

(d) Swimming pool: No person infected with any venereal disease in an infectious stage shall use or be permitted to use any public swimming pool. Persons violating this regulation are subject to fine of \$300. Printed notices containing this information shall be posted in conspicuous places near each pool.

(e) Universities, colleges, students, and teachers: Any person infected with venereal disease in an infectious stage is forbidden to attend or teach in any public or parochial school, university, college, or seminary, and local health officers are hereby authorized and directed to put into effect such measures of isolation, segregation, and quarantine as are required for the public health and safety.

Rule 17. Clinics.—(a) Number of weekly sessions and hours: The clinic shall be open each day and evening when practicable, except Sunday, for as long a period as necessary to adequately treat all cases. The sessions and hours of each clinic are subject to approval of the director of the division of social hygiene.

(b) Staff: There shall be one or more physicians of known ability and in good standing attached to each clinic. One of these physicians shall have charge and be known as the clinician and the others assistant clinicians. Clinicians shall arrange for proper treatment of patients who are temporarily

unable to attend.

The clinician in charge shall be responsible to the director of the division of social hygiene for the conduct of the clinic, and in general, for its results and for the safety of its property.

Except under the direct supervision of and in the presence of the clinician, patients shall not be treated by nurses, undergraduates, or other persons not

licensed physicians.

Clinicians, assistant clinicians, nurses, or other persons employed in the treatment and care of patients must exercise the same degreee of kindness and interest that might generally be expected in the office of a private physician where patients pay for medical service. Any incivility, discourtesy, rudeness, or unkindness shown by clinicians or other employees when dealing with patients, whether innocent victims or otherwise, is absolutely prohibited.

When practicable there should be at least one female nurse, who shall assist

during all examinations and treatments of female patients.

(c) Equipment: When practicable sufficient number of well-arranged rooms, suitable laboratory arrangements, instruments, and apparatus shall be provided.

It is not designed to establish prophylactic or early treatment stations primarily as such, but all clinics should be prepared to intelligently administer this treatment to voluntary applicants who give a history of exposure within a few hours immediatelly preceding their application.

(d) Records: Adequate records of all cases shall be kept by using a standard form or history sheet approved by the director of the division of social hygiene.

- (e) Social service required: One or more social welfare or follow-up workers shall be maintained for each clinic and adequate measures adopted to secure a regular attendance of patients to see that patients continue treatment until cured.
- (f) Information to patients: Clinicians shall devote the amount of time necessary for intelligently informing new patients of the seriousness of their disease, the necessity for prolonged treatment, the precautions necessary to prevent the spread of infection to others, and in addition shall furnish each patient with printed instructions prepared by the director of division of social hygiene, explaining how to avoid conveying the disease to others.

(g) Microscopical examinations: Systematic microscopical examination of

suspected initial lesions and discharges shall be made.

(h) Urethroscopic and cystoscopic examinations: Facilities for urethroscopic

and systoscopic examinations shall be provided.

(i) Wassermann and complement fixation tests: Wassermann tests shall be performed in the clinic laboratory or other approved laboratory. Complement fixation tests shall be made only when justified by clinical symptoms.

(j) Facilities for asepsis and antisepsis: All clinics treating venereal patients

shall be equipped with adequate facilities for asepsis and antisepsis.

(k) Administration of salvarsan or equivalents: Salvarsan, (arsphenamine), neosalvarsan, (neoarsphenamine), or their accepted equivalents shall be administered to all syphilitic patients where there are no contraindications. (Salvarsan or approved substitutes for treatment of patients attending clinics may be obtained, without cost, from the director of the division of social hygiene, State office building, Denver.)

(1) Transfer of patients: When it becomes necessary to discharge a patient before being cured, the patient shall be referred to an approved clinic or to a

reputable physician.

(m) Monthly reports: On the first day of each calendar month a report of the work done in any clinic during the previous month shall be forwarded to the director of the division of social hygiene. Standard forms approved by the director of the division of social hygiene shall be used in making these reports.

RULE 18. Report of unusual prevalence.—When the local health officer, through investigation or otherwise, becomes aware of unusual prevalence of venereal disease, or of unusual local conditions favoring the spread thereof, he shall report the facts at once to the director of the division of social hygiene.

RULE 19. Placard.—Whenever a prostitute is found infected with venereal disease in the infective stage, the premises shall be placarded, unless said prostitute can be moved to a hospital or other place where there will be proper isolation and treatment. The placard shall be white and not less than 6 inches in width and 10 inches in length, bearing the inscription, "Venereal disease," printed in red, bold-face type 3 inches in height, and said placard shall be affixed at the front and rear entrances of the building.

Rule 20. Permit required for change of residence.—No prostitute having any infectious venereal disease shall be removed from, and shall be prohibited from moving out of one health jurisdiction into another, without first securing removal permit from the local health officer where said prostitute resides and the further securing of an acceptance permit from the health officer at place of

contemplated destination.

RULE 21. Prostitution to be repressed.—Prostitution is hereby declared to be a prolific source of venereal disease, and the repression of prostitution is declared to be a public-health measure. All local and State health officers are therefore directed to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution and otherwise to use every proper means for the

repression of prostitution.

Rule 22. False information.—It will be in violation of these regulations for any patient, physician, drugless healer, pharmacist, dentist, superintendent of any hospital or sanitarium, attendant nurse, or other person of whom lawful information is required, by proper authority, to refuse to give information or knowingly to give false information relating to anything mentioned in these regulations or having a bearing on any matter relating to venereal disease.

RULE 23. Cooperation.—All State and local health officers are required to cooperate with the United States Public Health Service in combating venereal disease and especially is cooperation required when interstate matters are involved; provided that no health officer or other person shall be required to perform any act in violation of the law of the State of Colorado.

Hospitals, Dispensaries, Maternity Homes, etc.—Licensing and Other Requirements. (Reg. Bd. of H., September 2, 1927)

[Regulation 64, relating to hospitals, dispensaries, maternity homes, etc., reads the same as regulation 56 of the 1920 regulations with two exceptions. Rule 6 of the 1920 regulation has been omitted from regulation 64. Rule 18 of the

1920 regulation, (now No. 17), has been changed to read as follows:]

Rule 17. Probationer nurses, on entering upon their duties in a hospital or other institution where typhoid cases are received, should be given a combined prophylactic typhoid and paratyphoid vaccine unless they have either had these two diseases or have been so vaccinated within two years previous; and this should be repeated every two years during their stay in the institution. It is required also that in any hospital or sanatorium, if any probationer nurse has not been successfully vaccinated against smallpox within five years previous, such vaccination shall be done immediately upon her entrance upon her duties.

Schools—Sanitary Requirements—Teachers and Janitors Infected with Communicable Diseases Not to Be Employed—Physical Examination of Pupils. (Reg. Bd. of H., September 2, 1927)

[Regulation 59, relating to schools, reads the same as regulation 59 of the 1920 regulations with the exception of the changes hereafter noted. In the paragraph headed "Water supply" the last word, "chemist," in the 1920 regulation has been omitted. The paragraphs headed "School hygiene," "Foundation," "Toilets," and "Teachers and janitors" have been changed to read as follows:

SCHOOL HYGIENE

The attention of all physicians, and especially of health officers, is called to the importance of physical examination of every child before entering school, and also of medical inspection at short intervals during the entire school year. These examinations may be made either by their private physicians, by the

Supplement 43 to Public Health Reports, p. 57.
 Supplement 43 to Public Health Reports, p. 81.

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health officers, or school inspectors, as may seem desirable. In this work the State must count on the cooperation of teachers and the medical profession, as well as health officers.

Foundation.—The foundation must be impervious to soil water in order that

capillarity may not dampen the walls,

Toilets.—These must be separate for the sexes, well screened, well painted or whitewashed, and kept clean. If privies are used they must be constructed according to sanitary regulations. If water-closets are used, a type should be selected which can easily be scrubbed, and an automatic flush is desirable. Urinals must be placed in the toilets alloted to boys.

Teachers and Janitors.—No teacher or janitor shall be employed who is infected with any disease which would debar a child from the school. This is especially true of open tuberculosis and venereal disease of any kind in infectious stage, and school medical inspectors and health officers should instantly require the resignation of any person employed in the school who is suffering from one of these diseases.

State Institutions—Reports to State Board of Health—Isolation or Removal of Communicable Disease Patients—Air Space Per Person. (Reg. Bd. of H., September 2, 1927)

[Rule 60, relating to State institutions, reads the same as regulation 58° of the 1920 regulations, with the exception of the following, which has been added at the end of rule 2:]

Also comply with venereal disease law and regulations.

Milk and Milk Products. (Reg. Bd. of H., September 2, 1927)

[Rules 70 to 87, inclusive, of regulation 68, relating to milk and milk products, read the same as regulation 55^{7} of the 1920 regulations.]

Milk Pasteurization. (Reg. Bd. of H., September 2, 1927)

[Regulation 68.]

RULE 88. When possible all milk should be pasteurized to prevent carrying disease. The milk should be held at a temperature of 142° F. to 145° F., for a period of 30 minutes. Milk should not be repasteurized and should be kept at a temperature of at least 40° F. Dirty milk should not be pasteurized with the view of its purification.

Oleomargarine—Sale and Labeling. Substitutes for Butter—Use of Certain Words or Representations in Connection with the Sale or Advertisement of, Prohibited. (Ch. 141, Act March 28, 1927)

[This act amends section 3082, Compiled Laws, 1921, to read as follows:] No such substance shall hereafter be sold, offered or exposed for sale, except in cartons, wrappers, or packages put up by the manufacturer thereof containing not more than 5 pounds; such cartons, wrappers, or packages to be plainly and conspicuously labeled with the word "oleomargarine" in Gothic or equally conspicuous letters at least three-eighths of an inch high. The name and address of the manufacturer shall also be plainly printed on the carton, wrapper, or package in which such oleomargarine is sold at retail. The color of the ink with which all such words are printed must be in the strongest contrast to the color of the package.

No person, firm, association, or corporation shall use in any way in connection or association with the sale or exposure for sale or advertisement of any substance designed to be used as a substitute for butter, the words "butter," "creamery," or "dairy," or the name or representation of any breed of dairy cattle or any combination of such word or words and representation, or any other words or symbols or combinations thereof commonly used in the sale of butter.

Every person, company, or corporation, or any agent of any company or corporation, who violates any provision of this act, or who sells or offers for sale or delivers, or offers to deliver, any oleomargarine in any other form of carton,

⁷ Supplement 43 to Public Health Reports, p. 59.

wrapper, or package than as above described, or who packs in any carton, wrapper, or package any oleomargarine in any manner contrary to law, or who falsely brands, stamps, or labels any carton, wrapper, or package, denoting that it contains other than eleomargarine, shall be fined for the first offense not more than \$500 or imprisoned for not more than 30 days in the county jail, or both such fine and imprisonment, and for a second or other offense shall be fined not more than \$1,000 or imprisoned in the county jail not more than 12 months, or both such fine and imprisonment in the discretion of the court.

Bakeries. (Reg. Bd. of H., September 2, 1927)

[Rules 53 to 63, inclusive, of regulation 68, relating to bakeries, read the same as regulation 52 $^{\circ}$ of the 1920 regulations.]

Bakery Products—Protection from Contamination. (Reg. Bd. of H., September 2, 1927)

[Regulation 68.1

Rule 64. All bakery goods, such as bread, pies, cakes, rolls, muffins, and similar food products whether in bakeshops, hotels, restaurants, or other places where food is served to the public, must at all times be thoroughly protected from possible contamination by flies or other insects, dust, or other means.

Food Establishments. (Reg. Bd. of H., September 2, 1927)

[Rules 40 to 49, inclusive, of regulation 68, relating to food establishments, read the same as regulation 51^{10} of the 1920 regulations.]

Hospitals, Institutions, Restaurants, Hotels, Ice Cream Parlors, etc.—Sterilization of Eating and Drinking Utensils. (Reg. Bd. of H., September 2, 1927)

Regulation 68.1

Rule 51. Sanitation of hospitals, sanitariums, State institutions, restaurants, hotel kitchens, soda fountains, and similar places.—All dishes, (cracked dishes not allowed), cups, glasses, eating utensils, and similar articles used in or about hospitals, sanitariums, State institutions, restaurants, hotels, ice cream or soft drink parlors, lunch counters, hot tamale stands, pop corn stands, root beer stands, chili parlors, soda fountains, or similar places, must be handled by persons free from communicable disease and with clean hands and kept absolutely sanitary and safe for use of patrons, inmates, and employees. In order to do this the various articles must after each usage be thoroughly washed by free use of hot or running water and soap or other cleansing material to remove the gross contamination. This should be followed by thorough rinsing with clean water and emersion in a chlorine solution as follows:

One ounce chlorinated soda to 2 gallons of water.

This makes a solution containing approximately 100 parts per million of available chlorine. It should not be allowed to drop below 35 parts per million of available chlorine. After the emersion [immersion?], of articles in this chorine solution they should be permitted to dry and then be wiped with a sterile, fresh laundered towel or napkin. Only in case of an emergency should the articles be wiped before they are dry.

In lieu of the above requirements, steaming or boiling for 30 minutes will be sufficient.

To test the strength of the solution recommended in this rule use formula as follows:

Ortho-toludin, 1 gram; hydrochloric acid C. P., 100 c. c.; water, 1 liter.

A few drops of this mixture added to the solution of chlorinated soda causes a characteristic color. To test the sterility of the utensil a sterile swab moistened with distilled water may be rubber on the article, placed in a sterile tube and taken to the laboratory for examination.

Supplement 43 to Public Health Reports, p. 76.
 Supplement 43 to Public Health Reports, p. 74.

Slaughterhouses and Markets—Sanitary Requirements. Hogs and Poultry—Feeding. Meat of Diseased Animals—Sale Prohibited. (Reg. Bd. of H., September 2, 1927)

Rules 65 to 68, inclusive, of regulation 68, relating to slaughterhouses, etc., read the same as regulation 53 " of the 1920 regulations.]

Meat, Fish, Fowl, and Game-Protection During Transportation. (Reg. Bd. of H., September 2, 1927)

Rule 69 of regulation 68, relating to the protection of meat, etc., during transportation, reads the same as regulation 54 12 of the 1920 regulations.]

Eggs-Standards of Quality and Size-Labeling and Sale. (Reg. Bd. of H., September 2, 1927)

[Regulation 68.]

Rule 50. Eggs.—All eggs sold in the State of Colorado under a trade name shall conform to the quality grades and size grades as stated in the chart of the U.S. Standards of quality and size for individual eggs. There shall be three quality grades which are as follows:

Fresh eggs or U. S. specials	1/8 inch air space
Eggs or U. S. extras	2/8 inch air space
Held eggs or U. S. standards	3/8 inch air space

The three sizes for each quality grade are as follows:

Large or eggs_____ 24 ounces average and 22 ounces minimum Medium or pullets_____ 20 ounces average and 18 ounces minimum Small or pewees______ 16 ounces average and 15 ounces minimum

No eggs shall be sold in the State of Colorado which do not meet the requirements of the United States regarding "Held eggs" or U. S. Standards.

Three quality grades have been established as follows:

1. The term "fresh eggs" or its equivalent is applicable only to eggs which meet the present specifications of U.S. specials, (Bureau of Agricultural Economics, United States Department of Agriculture), except that yolks may be visible, and excluding all processed, cold stored, artificially cleaned, and incubator eggs.

2. The term "eggs," "ranch eggs," etc., is applicable to eggs which meet the

specifications of U.S. extras.

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3. Eggs which meet the specifications of U. S. standards must be marked in a manner to indicate the fact that they are of lower quality with such words as "held," "stored," "eastern," etc.

4. Eggs which are of lower grade than U. S. standards are not considered fit

to enter direct consumptive trade.

Present methods of collection and distribution by the wholesale trade consume too much time from producer to consumer for eggs to reach the consumer with the one-eighth inch air space. Some distributors will undoubtedly undertake to meet this situation by providing a system of more rapid distribution.

It is not expected that there will ever be any extensive wholesale trading on

U. S. specials which involves long shipments.

When retailers depend upon local producers for their supply of eggs it will be necessary for the retailers to insist that the eggs be segregated into size and quality grades, as required by these regulations, and marked correspondingly, or else undertake such segregation themselves, before offering them for sale to a consumer.

When eggs to be sold as "fresh eggs" are obtained it will be necessary for both retailers and distributors to obtain their supplies of eggs to be sold as "fresh eggs" from those producers who maintain clean, sanitary plants, be-

cause washed eggs are excluded from this grade unless so labeled.

The pure foods act has been in effect for nearly 20 years in Colorado and retailers are quite generally familiar with the use of guarantees for protecting themselves in their purchases. If similar guarantees are demanded with

Supplement 43 to Public Health Reports, p. 77.
 Supplement 43 to Public Health Reports, p. 61.

all eggs purchased, the retailer will find no difficulty in complying with these regulations unless he undertakes to buy eggs in quantities altogether too large for him to dispose of within the short length of time that eggs can be expected to keep. Eggs are perishable and deteriorate rapidly. They should be given the same care as butter or milk.

The requirements of the Colorado egg regulation may be summarized briefly

as follows:

1. The word "fresh," as applied to eggs, is restricted to eggs of very recent production and very high quality, which are laid in clean nests and kept clean. 2. The consumer must be informed accurately concerning size and quality

of the eggs sold him.

3. Eggs of lower grade than U. S. extras must be marked "held," "stored," or otherwise to indicate that they are of a grade lower than that permitted by these regulations under the terms "eggs" or "fresh eggs."

4. Cold-storage eggs, processed eggs, artificially cleaned eggs, need not be so labeled and can be sold as "eggs," provided they are fit for human consumption and of higher quality than U. S. standards.

Undoubtedly the simplest way for producers and dealers to convey the required information to retailers would be to place a tag or slip of paper bearing the required information, in every case of eggs which they sell. The following is suggested as a convenient form for this purpose:

The eggs contained in this case are guard grade and size checked:	anteed on the	date indicated	to be	of t	he
Fresh or U. S. specials(x) Eggs or U. S. extras() Held or U. S. standards()	Large Medium Small			{	x)
Date candled 3-14-26. Date sold 3-14-26.		John Doe & John Doi	Co., Do	ealer.	

WARNING

Please examine this shipment immediately upon receipt and report any error at once. Eggs are very perishable and we can not be responsible for their keeping qualities when held under conditions not under our control.

We will not be responsible if these eggs are resold for a higher grade than that

Indicated.

Indicated.

According to the regulations of the Colorado State Board of Health, eggs sold as "fresh," must be of a quality equal to U. S. specials. No eggs below grade of U. S. standards and no "tolerance" allowed in retail trade.

Eggs of quality equal to U. S. extras should be sold as "eggs," "ranch eggs," "farm eggs," etc., but not as "fresh eggs."

Eggs of quality equal to U. S. standards can not be sold as "eggs," or "fresh eggs" and must be marked "held," "stored," or "eastern." etc.

Eggs of size smaller than 24 ounces average and 22 ounces minimum per dozen must be so labeled that the purchaser is informed of this fact by some such statement as "medium" or "pullets" when the size is at least 20 ounces average and 18 ounces minimum or as "small" or "pewee" when the size is at least 16 ounces average and 15 ounces minimum.

Sewage or Water Containing Sewage-Use for Irrigation. (Reg. Bd. of H., September 2, 1927)

RULE 27. Irrigation with sewage or sewage-laden water.—No domestic sewage nor water containing domestic sewage in amount and condition such that bacteria of the coli-aerogenes group are present in quantities of 10 or more per cubic centimeter, shall be used to irrigate or be permitted to overflow any fruits or vegetables for human consumption, the edible portions of which grow in the ground or above it within one foot of the surface, except with the written permission of the State board of health obtained as hereinafter provided. For the purposes of this rule, the coli-aerogenes group is defined as in the latest edition of the Standard Methods of Water Analysis of the American Public Health and American Water Works Associations, and the procedures for demonstration of these bacteria shall conform to those of the completed test as therein specified.

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The standard sample for this test shall consist of one each of the following

portions:

First. Ten cubic centimeters (10 c.c.). Second. One cubic centimeter (1 c.c.). Third. One-tenth cubic centimeter (0.1 c.c.).

Fourth. One hundredth cubic centimeter (0.01 c.c.).

Positive completed tests in the first, second, and third, the first, second, and fourth, or the first, third, and fourth portions shall be positive evidence of the presence of bacteria of the coli-aerogenes group in quantities of 10 or more

per cubic centimeter.

Upon receipt of a request, in writing, for permission to use sewage or sewageladen water contrary to the above stipulations, claiming that the conditions of the particular case are such as to prevent any reasonable possibility of impairing the public health and stating full details upon which this claim is based, the State board of health will make an investigation and determine whether or not such use should be permitted, following which its approval will be given or denied.

Food and Drugs-Analyses, Standards, etc. (Reg. Bd. of H., September 2, 1927)

[Rules 1 to 30, inclusive, of regulation 68, relating to food and drugs, read the same as regulation 49 13 of the 1920 regulations.]

Habit-Forming Drugs. (Reg. Bd. of H., September 2, 1927)

[Rules 31 to 39, inclusive, of regulation 68, relating to habit-forming drugs, read the same as regulation 50^{14} of the 1920 regulations.]

Cannabis Indica—Production, Possession, and Sale. (Ch. 95, Act March 21, 1927)

Section 1. That Cannabis indica, or Cannabis sativa, commonly known as Indian hemp, hasheesh, or marijuana, is hereby found and declared to be a habit-forming drug, the unrestricted use of which is injurious to the wellbeing of the users.

Sec. 2. That from and after the passage of this act the growing, possession, sale, or gift of Cannabis indica or any derivative thereof, in any form or compound, shall be prohibited: *Provided*, That the production, possession, and sale of Cannabis indica may be permitted under the following conditions:

First. Cannabis indica may be grown and the product sold by the grower alone, under rules and regulations consistent with this act, to be formulated by the board of health of the State of Colorado, the sale by the grower to be restricted to regularly established manufacturing or wholesale druggists.

Second. Wholesale and manufacturing druggists may sell Cannabis indica and the derivatives and compounds thereof to retail druggists who either are or who regularly employ licensed or registered pharmacists under the laws of the State of Colorado.

Third. Retail druggists may sell Cannabis indica and derivatives and compounds thereof only upon original prescription of a physician regularly licensed to practice medicine in the State of Colorado, and such prescription may not be

refilled or used a second time.

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Provided further, That nothing herein contained shall prohibit the sale of Cannabis indica or derivatives thereof when compounded with other drugs or medicines in which the amount of Cannabis indica or any derivative thereof shall not exceed one-half grain solid extract or its equivalent to 1 fluid ounce of solution in which it is contained or when it shall not exceed one-half grain solid extract or its equivalent to 1 ounce, avoirdupois weight, of total with which it is included, in solid or semisolid form, and only such fluids, solids, or semisolid substances containing Cannabis indica or a derivative thereof are prepared for and by reason of their composition suitable for external use only.¹⁵

Sec. 3. Any person who violates the terms of this act shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$50 or more than \$300, or by imprisonment in the county jail for not less than one month nor more than six months or by both fine and imprisonment, in the

discretion of the court.

Supplement 43 to Public Health Reports, p. 62.
 Supplement 43 to Public Health Reports, p. 71.
 This paragraph reads so in the session laws.

Sec. 4. Section 6879, Compiled Laws of Colorado, 1921, the same being chapter 39 ¹⁶ of the Session Laws of Colorado, 1917, and all acts or portions of acts in conflict herewith are hereby repealed: *Provided*, This repeal shall not affect any cause of action or proceeding under the existing law at the date this repeal becomes effective.

Water Supplies, Water Purification Plants, Sewer Systems, and Sewage Treatment Plants—Preparation, Submission, and Approval of Plans and Specifications for Construction, Alteration, or Extension of—Operation. Public Water Supplies of Municipalities and Tourist Camps—Investigation and Approval—Use of Official Approval Signs. (Reg. Bd. of H., September 2, 1927)

[Regulation 67.]

RULE 1. Definitions.—For the purposes of rules 1 to 13, inclusive, the terms

used are defined as follows:

"Water supply"—all sources and their surroundings from which water is derived for drinking or domestic use by the public, also all structures, conduits, and appurtenances by means of which water for such use is stored or delivered to consumers, except service pipes from street mains to buildings and plumbing within or in connection with buildings served.

"Water purification plants"—all plants for treating water for drinking or domestic use by the public, by means of sedimentation, coagulation, filtration,

sterilization, or any other process or combination of such processes.

"Sewage"—the water-carried waste products or discharges from human beings or animals, or chemicals or other wastes from residences, public or private buildings, swimming pools, or industrial establishments.

"Sewer systems"—all structures, conduits, and pipe lines by which sewage is collected, transported, and discharged except plumbing within and in connection

with buildings and service pipes from buildings to street sewers.

"Sewage treatment plants"—all plants which treat or were designed to treat sewage, by changing the nature of or removing any of its constituents before final disposal into any of the waters, or upon any of the lands of the State.

"Waters of the State"—all lakes, rivers, streams, ponds, springs, wells, and other bodies of surface or ground water, natural or artificial, within the State or

its jurisdiction.

"Owner"—the State, county, city, town, village, corporation, firm, company, institution, person, or persons owning any water supply, water purification

plant, sewer system, or sewage treatment plant.

Rule 2. Quality of water.—No water shall be furnished to the public for domestic use containing or likely to contain bacteriological, biological, chemical or physical impurities which have an injurious effect upon health. The source, treatment, distribution, and quality of the water shall be satisfactory to the State board of health according to sanitation surveys and laboratory examinations.

RULE 3. Disposal of sewage.—No sewage shall be placed or discharged or permitted to flow into any of the waters or upon any of the lands of the State in any manner determined by the board to be unreasonably and injuriously affecting a public water supply or causing a nuisance, or considered by the board likely to have an unreasonable and injurious effect upon a public water supply or to cause a nuisance.

Rule 4. Descriptions of existing water and sewage works.—At the request of the board, every owner of an existing public water supply, water purification plant, sewer system, or sewage treatment plant shall submit an accurate description of such water or sewage works, including such information as is

specified in the request.

Rule 5. Plans and specifications for new water or sewage works, extensions, alterations.—No municipality, district, corporation, company, institution, person, or persons shall install or enter into contract for installing a water supply, water purification plant, sewer system or sewage treatment plant to serve more than 25 persons until complete plans and specifications fully describing such water or sewage works have been submitted to and have received the written approval of the State board of health and thereafter such plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the State board of health.

¹⁶ Supplement 37 to Public Health Reports, p. 77.

No municipality, district, corporation, company, institution, person, or persons shall make or enter into contract for making any additions to, or changes or alterations in, any existing water supply or water purification plant serving more than 25 persons, when such additions, changes, or alterations involve the source of supply or means for collecting, storing, or treating the water, or any changes in or additions to any sewer system or sewage treatment plant serving more than 25 persons, until complete plans and specifications fully describing such proposed additions, changes, or a terations have been submitted to and have received the written approval of the State board of health, and thereafter such plans and specifications must be substantially adhered to unless deviations are submitted to and receive the written approval of the State board of health,

Upon application, accompanied by an outline of any proposed new water supply, water purification plant, sewer system or sewage treatment plant, or any change in any such existing water or sewage works, the general requirements which will meet the approval of the board will be outlined. Preliminary or incomplete plans may be submitted for approval and recommendations, if accompanied by a statement outlining omitted portions, detail plans for which

shall be submitted before final approval.

All plans and specifications shall be submitted in duplicate, one copy to be retained on file by the board and one returned to the owner. Plans shall be approved as to structural, mechanical and electrical features by registered engineers before being submitted for approval by the board.

The plans and specifications shall include an engineer's report, general plans,

detailed plans, and specifications.

The engineer's report and the specifications shall either be typewritten on letter or legal size sheets or printed in convenient pamphlets, and shall be

neatly bound in either case.

Plans shall be drawn to suitable scales and shall not be larger than can be conveniently handled. They shall consist of sketches or prints upon a medium or light-weight, high-grade paper that will neither crack when folded nor tear with reasonable usage, or upon cloth, unless otherwise requested by the board. The scale in feet to which the plans are drawn, the north point, the date and the names of the designer and owner shall in all cases be indicated. All plans shall be made by persons skilled in drafting.

Plans for modifications or extensions to existing systems or plants shall indicate clearly the connection or relation thereto, and, if not already on file with the board, submittal of plans of the existing system or plant also may be

required.

The engineer's report for water works shall cover the following:

(a) Water consumptions: State the present and estimated population 25 years hence for municipalities; for institutions the present and estimated ultimate capacity. Any special conditions that might affect the growth of the municipality or institution; also any industrial activities that may affect the requirements of the water supply should be discussed. Give estimate of the daily total and per capita consumption, both for present and future population.

(b) The source of supply: If samples of the water can be obtained, results of chemical and bacteriological analyses shall be included, otherwise the probable character of the water shall be discussed, basing conclusions on analyses or

other available information regarding water from similar sources.

If a surface supply, the area, population, and a description of the tributary watershed shall be given. All possible sources of pollution, topographical and geographical features of the watershed, and other conditions that might in any way affect the quality or quantity of the supply shall be discussed in detail.

If the source is ground water, give details regarding the number, depth, and character of the wells, springs, infiltration galleries, etc., and definite information regarding the various strata. State whether the source is ever subject to flooding and describe methods of protecting against contamination.

(c) Purification: State reasons for adopting the method of purification outlined, specifying any experimental work done. Describe completely any special

annliances

(d) Pumping equipment: The number, type, size, and capacity of the pumps to be installed and type of power shall be given. Discuss clearly any special features and method of connecting the pumps with the wells, suction lines, and other parts of the system.

(e) Distribution system: State the class, weight, and amount of the various

sizes of pipe and describe any special features.

(f) Storage: Give amount and location of the storage available, both before and after purification, together with details regarding its effect upon the quality of the water.

(g) Fire protection: Discuss adequacy of fire protection with regard to

capacity and pressure.

(h) Cost: Give estimated cost of integral parts of the system, both for complete design and original installation.

The engineer's report for sewage works shall cover the following:

(a) Sewage flow: State the present and estimated population for municipalities 25 years hence, and for institutions the present and ultimate capacity. Estimate the amount of domestic sewage, ground water, industrial waste, etc., that the system or various parts thereof may have to care for, both for present and future needs.

(b) Source of water supply: Give location of intake or wells, etc., also approximate maximum, minimum, and average daily water consumption if public

supply is already in use.

(c) Extent of system: State extent to which plans provide sewerage facilities,

both for initial installation and future development.

(d) Industrial waste: Give character of industrial wastes inasmuch as they may affect the sewerage system.

 (e) Special features: Discuss low grades, special devices, etc.
 (f) Type of purification: Discuss type both for present and future needs, and reasons for adopting the proposed method.

(g) Soil: State probable character of soil or strata through which the sewers are to be laid and portion of the system that will be below normal groundwater level.

(h) Cost: Give estimated cost of integral parts of system, both for the com-

plete design and original installation.

(i) Outfall: Describe the stream or body of water into which the final effluent is to discharge. If a stream, give width, depth, and estimated minimum flow. State what its water is used for below the outlet and whether there are any special conditions, such as a dam, that will affect the flow. If a lake, give approximate area, also depth in vicinity of the outfall.

The general and detailed plans and specifications shall clearly, completely, and definitely indicate and specify all features of the proposed water or sewage

works in sufficient detail to permit proper construction.

RULE 6. General requirements for design of water and sewage works.—In general, in the design and construction of water and sewage works, approved modern practice shall be followed. In case new appliances or methods are adopted, sufficient data based upon practical application, experimental or otherwise, shall be submitted to show that satisfactory results can be secured.

Water and sewage works shall be designed to provide amply for the probable population at least 25 years hence, except in considering parts of the systems that can be readily increased in capacity. Similar consideration shall

be given to the ultimate capacity of institutions.

All materials of construction shall be of approved quality, quantity, and proportion. A registered engineer shall supervise the construction of all water and

sewage works.

RULE 7. General requirements for design of waterworks .- A suitable intake properly screened and located shall be provided for surface supplies. springs, etc., shall be adequately protected from all surface wash. water sources shall be so located that there will be no danger of pollution from insanitary surroundings, such as cesspools, privies, sewers, etc. This practically prevents the use of wells or springs in a municipality or other thickly populated areas.

The pumping equipment shall be divided into two or more units except where ample storage is available to permit necessary repairs without interrupting the service. The capacity shall be ample for fire protection and domestic con-

sumption.

Some modern method of purification, applicable to the needs of the municipality or institution, and adaptable to the water to be treated, shall be provided in connection with all surface supplies. Apparatus for direct, positive, and accurate application of chemicals, also adequate mixing devices and sedimenta-tion basins, shall be provided in connection with all mechanical gravity or pressure filters. In each case, a careful study should be made of the character of the water and experimental work done, if necessary, to determine the type of purification or treatment adaptable.

Rate controllers and loss of head gages shall be provided for all filters. The depth of the filtering sand shall not be less than 2½ feet, its effective size shall not be less than 0.2 millimeter nor more than 0.4 millimeter, and its uniformity coefficient should not exceed 2. Sand shall be practically pure quartz or silica free from dirt or foreign material. The following average rates of filtration shall not be exceeded:

Slow sand filters, 4,000,000 gallons per acre per day.

Gravity mechanical filters 125,000,000 gallons per acre per day. Pressure mechanical filters, 75,000,000 gallons per acre per day.

Purification plants shall be divided into a sufficient number of units to allow for necessary repairs and alterations without interrupting the service or im-

pairing the quality of the water delivered.

Auxiliary intakes, by-passes, or cross connections whereby polluted water may be pumped or allowed to flow into the distribution system of any public supply under any conditions will be prohibited except under the following special conditions:

(a) An existing auxiliary intake or by-pass may be maintained, providing a section of the pipe is removed to be reinserted only in case of emergency. Before reinserting the pipe the consumers shall be notified to boil all water

and the board shall be notified by wire.

(b) In new supplies, auxiliary intakes or by-passes may be permitted by special approval of the board if satisfactory reasons are set forth as to the necessity therefor, and installation made in accordance with (a) above.

(c) An existing cross connection may be continued if protected by double check valves equipped with suitable gages, valves, etc., for testing, and on condition that monthly inspections of such equipment are made by the owner of the public supply and results thereof reported to the board. The board, however, reserves the right to require the elimination of any cross connection if inspections are not regularly made or if the connection is found faulty. New cross connections are prohibited.

The distribution system shall be constructed of suitable material and provided with sufficient shut-off valves to facilitate operation and repairs. Where practical, dead ends shall be connected so as to provide adequate circulation of the water. Pipe smaller than 4 inches in diameter shall not be used in municipal

systems except for isolated service connections.

The pumping equipment, storage facilities, distribution system, and location

of hydrants shall be such as will furnish adequate fire protection.

RULE 8. General requirements for design of sewage works.—All new sewer systems should be designed as sanitary sewers or on the "separate" plan. In existing systems constructed on the "combined" plan, adequate storm water overflows shall be provided in connection with treatment. Furthermore, future developments and extensions should be constructed as "separate" rather than "combined" systems when practicable. No storm water from streets, roofs, etc., shall be allowed to discharge into sanitary sewers.

All sewers shall be laid to a grade not less than that indicated in the following table, except when necessary because of special conditions, in which case

definite reasons therefor shall be given.

	Fall in feet per		
bize of pipe, in menes.	100 feet of sewer		
6	0. 50		
8	0.40		
10	0.28		
12	0.20		
15	0.15		
18	0.11		
20	0.10		
24	0.09		

Manholes shall be installed at all changes in grade or direction and at distances not greater than 400 feet apart. Lampholes may be used only for special conditions and shall not be substituted for manholes nor installed at the end of laterals greater than 250 feet in length. All sewers shall be laid in true alignment between manholes.

Treatment shall be provided in connection with all new installations, the extent of which will depend upon local conditions. In connection with developing or modifying existing systems where no treatment is now provided, efforts

shall be made to so reconstruct the system as to bring the sewage together at points suitable for treatment which shall be provided as soon as practicable.

Plans for sewage treatment plants will be approved only when the following rates of operation are not exceeded except where special conditions exist when the Board may permit higher rates and modifications:

Septic tanks: A detention period of eight hours.

Imheff or similar tanks: (a) In the flowing through or settling chamber, a detention period of not less than two hours. (b) In the sludge digestion compartment, a capacity of not less than 1.5 cubic feet per capita computed below a horizontal plane 18 inches below the slot. (c) Gas vent area not less than 10 per cent of total surface area of tank and width not less than 2 feet.

Intermittent sand filters: 1,000 persons per acre of area, the filter to have a

minimum depth of 3 feet above the under drains.

Contact Beds: 1,000 persons per acre of area per foot of depth, with a minimum depth of 4 feet.

Trickling Filters: 3,000 persons per acre of area per foot of depth, with a

minimum depth of 5 feet.

The effective size of sand for intermittent sand filters should not be less than 0.2 millimeter nor more than 0.4 millimeter. Contact beds shall consist of stone not less than one-half inch in diameter nor more than 2 inches, while for trickling filters the corresponding sizes shall be three-fourths of an inch to $2\frac{1}{2}$ inches. Sedimentation or other treatment to remove the suspended matter from the effluent of trickling filters will usually be necessary to prevent local nuisances.

Treatment plants shall be divided into such a number of units that necessary repairs or alterations can be made without impairing the character of the

effluent.

Adequate provision shall be made for the disposal of sludge or screenings in connection with all treatment plants, and in no case will the discharge of sludge or screenings into a stream or watercourse be permitted. Sludge bed areas shall not be less than three-fourths square foot per capita for Imhoff or other digestion tanks.

No definite requirements are made for the activated sludge, separate sludge digestion or other special processes. Each installation of this character will

be considered separately.

Plants shall be of adequate capacity and all by-passes shall be equipped with

lock and key.

Rule 9. General requirements for operation of water and sewage works.—Because of various local conditions which it is impossible to anticipate, it is impracticable to set forth other than general rules governing the operation of water and sewage works. Every owner, however, will be required to so operate these works as to obtain a reasonably high degree of efficiency at all times. Specific instructions based upon investigations will be given from time to time regarding the operation of individual plants.

A competent person shall be in charge of the operation of every water and sewage works, who shall study the various controlling factors in order that maximum efficiency may be obtained at all times. In case of incompetent supervision or inefficient operation, the board, after due notice, may require the owner to make such changes as may be considered necessary to obtain proper

results.

When chemicals are used in connection with any purification or treatment process, a sufficient quantity of high-grade material shall be kept on hand at all times to insure against ineffective operation due to delays in securing these materials.

Suitable analyses shall be made and records kept upon approved forms in connection with the operation of all municipal water-purification and sewer-treatment plants. Certified reports upon approved forms regarding the operation of all water-purification and sewage-treatment plants shall be submitted to the board when requested.

Where existing plants are so constructed that satisfactory results can not be secured, such alterations may be required as are necessary to secure proper

results.

Rule 10. General requirements for operation of water works.—All intakes, pumping equipment, and distribution system shall be maintained in a proper operating condition at all times. The mains shall be regularly flushed at sufficiently frequent intervals to prevent accumulation of sediment or of stagnant water. All newly installed or repaired water mains shall be thoroughly flushed

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with water of good quality before any water from them is permitted to reach any consumer, and all mains 4 inches in diameter or larger shall, following this flushing and before being placed in service, be sterilized by the following or an equivalent method. The main shall be filled completely with water containing at least five parts per million (41.5 lbs. per million gallons) of chlorine, and after 30 minutes or more of contact with this chlorine water the main shall be drained and again thoroughly flushed with water of good quality.

All sedimentation and storage reservoirs shall be cleaned at sufficiently frequent intervals to prevent such accumulation of sediment as will interfere with

the efficient operation of the water works.

Slow sand filters shall be cleaned at such times as may be necessary to secure efficient operation. In general, the "loss of head" should not exceed 5 feet before cleaning. When sand has been removed from the filter so that the remaining depth is less than $1\frac{1}{2}$ feet, the filter bed shall be brought up to its original depth by adding clean sand of a proper size and grade.

In connection with all mechanical filters the water shall receive preliminary treatment consisting of coagulation with or without sedimentation. A sufficient amount of the coagulant shall be applied at all times to secure satisfactory Before the "loss of head" has reached 10 feet, the filters shall be washed with filtered water until the effluent wash water is reasonably clear. Subsequent to washing, the first filtrate shall be washed for a sufficient period of time to place the filter again in effective operating condition. Sudden changes in the rate of filtration shall be avoided.

Care must be exercised to prevent caking or cementing of the sand in the filter beds, and should this occur the sand shall be removed and replaced by new sand or the old sand may be screened and returned to the beds. When the depth of the sand in the filter becomes less than 2 feet because of loss by washing, the filter shall be brought to its original depth by adding new sand of a

proper size and quality.

Where any process of sterilization is used as a method of purification, the plant shall be so operated as to secure effective results at all times. Extra parts or duplicate apparatus shall be kept on hand to avoid unnecessary delays in making repairs. Ortho-toluidine or other effective tests shall be made at regular and frequent intervals to determine residual chlorine, and the results used in governing the chlorine dosage.

Rule 11. General requirements for operation of sewage works.—The sewer system shall be kept free from obstructions at all times by the use of flushing or cleaning devices where necessary. It shall otherwise be maintained in a

proper condition.

All sewage pumping equipment shall be maintained in an efficient operating condition in order to prevent backing up of the sewage into the collecting system or bringing into play overflows or by-passes which may result in the discharge of untreated sewage.

All sewage screens shall be frequently cleaned so as to prevent stoppage

and the screenings shall be properly disposed of.

In all methods of tank treatment, the sludge shall be removed and properly disposed of at such intervals as not to interfere with the effective operation of the plant. In general, part of the sludge from Imhoff or similar tanks should be removed every three months except that by removing the sludge late in the fall the tank may be allowed to run through the winter without subsequent removal, providing the sludge storage capacity is sufficient. Tanks should have adequate supervision to guard against stoppages which might result in backing up the sewage into the collecting system or in bringing into play overflows

which would result in the discharge of untreated sewage.

The dosing devices in connection with intermittent sand filters shall be maintained in an efficient operating condition at all times to assure proper dosing of the various beds. The doses should be of sufficient quantity to provide uniform distribution over the bed (about 3 inches in depth), be so arranged as to allow for a proper rest period, and not exceed three per day. In case the filter becomes "foul," it should be put out of service for sufficient time to recuperate. It is recommended that slow sand filters be covered in the winter in order to obtain satisfactory operating results. If not covered, they should be furrowed or otherwise prepared for winter operation. The filters should be cleaned late in the fall in preparation for winter operation and should also be cleaned as early in the spring as possible. When the depth of the filter sand has been reduced to 11/2 feet, it shall be brought to its original depth by adding clean sand of a proper size and quality.

The dosing devices for sprinkling filters shall be carefully maintained to secure proper operation at all times. The distribution system shall be arranged so as to provide as uniform distribution of the sewage as possible and the spraying nozzles be kept free from obstructions. It is recommended that sprinkling filters be covered during the winter in order to secure efficient operation. If not covered, the cycle of operation and dose shall be arranged so as to prevent freezing and assure continuous operation of the plant.

All dosing devices of contact beds shall be properly maintained in order to assure maintenance of a cycle of operation that will produce satisfactory results. The standing full period should not be less than 45 minutes nor more than two hours. The rest period should be at least four hours. The number of fillings

daily should not exceed three.

No specific instructions are given for activated sludge plants, but such plants

shall be so operated as to secure effective results at all times.

The method of sludge disposal shall be carefully maintained at all times and in no case shall the sludge from any treatment tank be discharged into any

stream or watercourse, or so disposed of as to create a nuisance.

Where any process of sterilization is used as a method of sewage treatment, the plant shall be so operated as to secure effective results at all times. Extra parts or duplicate apparatus shall be kept on hand to avoid unnecessary delays in making repairs. Ortho-toluidine or other effective tests shall be made at regular and frequent intervals to determine residual chlorine, and the results used in governing the chlorine dosage.

RULE 12. Approval of municipal water supplies.—At the request of any municipality in the State, an investigation of its public water-supply system will be made by the division of sanitary engineering. If the supply is found to be satisfactory from a sanitary standpoint, it will be approved, and the municipality will be given permission to place signs on the highways entering

it, bearing the inscription:

(Name of municipality) PUBLIC WATER SUPPLY APPROVED COLORADO STATE BOARD OF HEALTH

Municipalities whose water-supply systems upon investigation are found unsatisfactory, will be advised as to the improvements necessary for approval. Upon completion of these improvements and at the request of the municipality, another investigation will be made, and, if the system is then found to be satisfactory, approval will be given.

The specifications pertaining to this service are:

(a) To be considered satisfactory the water-supply system shall conform to the drinking water standards of the United States Treasury Department. (Adopted June 20, 1925, for water supplies used for drinking and culinary purposes on interstate common carriers.)

(b) The municipality shall assist in the investigation by furnishing as completely as possible all information requested regarding the water-supply

system.

(c) Samples of water for bacteriological examination shall be submitted by the municipality, according to the procedure of the State board of health, at intervals of one month for surface water supplies, and three months for deep

well supplies, or more often upon request.

(d) The signs used for this purpose shall be of a standard design approved by the State board of health. With uniformity and economy in view, an arrangement has been made whereby the municipalities can purchase them at cost through the Rocky Mountain Motorists (Inc.), Foster Building, Denver. They are made of baked enamel on heavy steel plate, and are priced at about \$2.50 each. They shall be erected by the municipality on metal posts, at the corporate limits, in accordance with the specifications of the State highway department.

(c) If at any time after approval it is found by a sanitary survey or by bacteriological examinations that the water-supply system has become unsatisfactory, the municipality will be notified and advised as to the improvements necessary. If these or other equally effective improvements are not made within a reasonable time, the municipality shall remove the signs immediately upon notice from the State board of health, and they shall not be replaced until

the system is again approved.

Rule 13. Approval of tourist camp water supplies.—Public water supplies of tourists' camps in the State will also be investigated and approved, and the use of similar official approval signs at their entrances be permitted, according to the above specifications. In this case, the words "tourist camp owner" shall be substituted for the word "municipality" wherever appearing in rule 12.

State Plumbing Code. (Reg. Bd. of H., September 2, 1927)

[Regulation 73, consisting of 55 sections, adopted by the State board of health on September 2, 1927, constitutes the Colorado plumbing code.]

Births and Deaths—Registration—Burial and Removal Permits. (Reg. Bd. of H., September 2, 1927)

[Regulation 70, relating to the registration of births and deaths, reads the same as regulation 69^{31} of the 1920 regulations, with the exception of the following sentence, which has been added at the end of rule 6:]

Stillbirths occurring prior to and including 150 days of uterine gestation need not be reported as births or deaths.

Dead Bodies-Transportation. (Reg. Bd. of H., September 2, 1927)

REGULATION 71. TRANSPORTATION OF THE DEAD

Rule 1. The documentary authority required by the Colorado State Board of Health for transportation of a dead body by a common carrier shall include a duplicate copy of the original death certificate, a removal permit by the local registrar, a certificate by the shipping undertaker, and a paster to be filled out by the transportation company.

The blank form prepared by the State registrar shall be used and must be completely filled out. Each body for transportation must be embalmed by an embalmer holding a license by authority of the Colorado State Board of Embalming Examiners; provided, that embalming may not be required when destination is within this State and will be reached within 30 hours after death.

RULE 2. The transportation of bodies dead of smallp x, plague, anthrax, epidemic cerebrospinal meningitis or meningococcus meningitis, poliomyelitis, typhus fever, yellow fever, Asiatic cholera, diphtheria, scarlet fever, or leprosy shall be permitted only under the following conditions: The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices shall be closed with absorbent cotton, the body shall be washed with a sublimate solution (1:1000) or a strong solution of cresol compound, enveloped in a sheet saturated with the same, and placed at once in the coffin or casket, and the outside case containing the same shall be metal or metal lined, and hermetically and permanently sealed.

Rule 3. The transportation of bodies dead of any disease other than those mentioned in rule 2 shall be permitted under the following conditions:

(a) When the destination is within this State and can be reached within 30 hours after death, embalming is not required, but the coffin or casket shall be encased in a strong outer box made of good sound lumber not less than seven-eighths of an inch thick; all joints must be tongued and grooved, top and bottom put on with cleats or cross pieces, and all put securely together.

(b) When the destination is not within this State or can not be reached within 30 hours after death, the body shall be thoroughly embalmed and the coffin or casket placed in an outside case constructed as provided in paragraph (a).

RULE 4. (a) No disinterred body, dead from any disease or cause, shall be transported by common carrier, unless approved by the health authorities having jurisdiction at the place of disinterment, and the same documentary authority shall be issued as required in rule 1.

(b) Disinterred bodies of persons, dead of either smallpox, epidemic cerebrospinal meningitis or meningococcus meningitis, poliomyelitis, typhus fever, yellow fever, anthrax. plague, Asiatic cholera, leprosy, diphtheria, or scarlet fever, must immediately after disinterment be wrapped in a strong sheet or heavy canvas saturated with a 1:500 solution of corrosive sublimate and then be inclosed in metal-lined boxes and be hermetically sealed.

¹⁷ Supplement 43 to Public Health Reports, p. 84.

(c) Other disinterred bodies which have been buried for a period of two years or less must also be inclosed, without antiseptic wrapping, in metallined boxes and be hermetically sealed. Bodies which have been buried for longer than two years and which are not dead of either smallpox, anthrax, plague, Asiatic cholera, leprosy, epidemic cerebrospinal meningitis or meningococcus meningitis, poliomyelitis, typhus fever, yellow fever, diphtheria, or scarlet fever will demand no special treatment, either in respect to antiseptic wrapping or special box for their inclosure, provided that disinterred bodies, which have about them either a disagreeable odor or such a degree of moisture as to constitute a possible nuisance, shall be subject to all the provisions of (b) of this rule.

(d) Bodies which have been buried for two years or less shall not be disinterred from May 15 to September 15; bodies in a receiving vault when prepared by a licensed embalmer shall not be regarded as disinterred bodies.

Rule 5. The outside case may be omitted in all instances when the coffin

or casket is transported in hearse or undertaker's wagon.

Rule 6. The term "approved disinfectant fluid" as used in these rules means an embalming fluid that has been approved by the board of embalming examiners of the State of Colorado, or a fluid that contains not less than 14 per cent of formalin; the term "embalming" as employed in these rules shall require the injection by licensed embalmers of not less than 10 per cent of the body weight injected arterially in addition to cavity injection, and 12 hours shall elapse between the time of embalming and the shipment of the body. A 5 per cent solution of carbolic acid. a 1:500 solution of corrosive sublimate, or 14 per cent solution of formalin are approved as disinfectants for external washing of bodies when required by these rules.

Garbage—Keeping, Collection, and Disposal in Municipalities. (Reg. Bd. of H., September 2, 1927)

[Regulation 67.]

Rule 14. Garbage collection.—All municipalities shall provide for the collection of garbage at regular and frequent intervals, and between collections

all garbage shall be kept in fly-tight containers.

RULE 15. Garbage disposal.—All municipalities shall provide a sanitary and inoffensive method for the disposal of garbage. If incineration or reduction or any other such method is used, the plants shall be operated so that no odor nuisance is caused at any time.

Common Drinking Cups-Use Prohibited. (Reg. Bd. of H., September 2, 1927)

[Regulation 68.]

Rule 52. Drinking vessels.—The use of the common drinking cup is prohibited.

Common Towels—Prohibited in Certain Places. (Reg. Bd. of H., September 2, 1927)

Reg. 58. Towels.—Individual towels instead of roller or common towels must be used in all factories, mills, workshops, bakeries, laundries, stores, hotels, restaurants, boarding or bunk houses, railway stations, toilets, and other places not including private homes.

Hotels and Rooming Houses—Sewage Disposal—Towels and Bedding. (Reg. Bd. of H., September 2, 1927)

[Regulation 57, relating to hotels and rooming houses, reads the same as regulation 57 ¹⁵ of the 1920 regulations.]

Bathing Places—Classification—Sanitary Requirements—Operation, Maintenance, and Use. (Reg. Bd. of H., September 2, 1927)

[Regulation 67.]

RULE 23. Scope of rules.—These rules apply to all bodies of water sufficiently deep for complete immersion of the body and used collectively by numbers

¹⁸ Supplement 43 to Public Health Reports, p. 77.

of persons for swimming or recreative bathing, together with the shores, buildings, equipment and appurtenances pertaining to such bathing places. They do not apply to public or semipublic baths where the main object is the cleansing of the body or the practice of the healing art unless such baths contain or utilize pools or tanks used collectively by a number of individuals.

Rule 24. Class A bathing places.—A bathing place which conforms to the following specifications, (A-1) to (A-11) inclusive, will be entitled, "Class A

bathing place-Safe-No reasonable danger of infection":

(A-1) The water used for filling the pool and the water in all parts of the pool shall, at all times when the pool is in use, be of such quality that: (a) not more than 10 per cent of the samples covering any considerable period will show more than 100 bacteria per cubic centimeter when plated on standard agar medium and incubated at 37.5° C. for 24 hours, and no single sample will show more than 200 bacteria per cubic centimeter; (b) not more than two out of five samples collected on the same day and not more than three out of any 10 consecutive samples collected on different dates will show a positive partially confirmed test for organisms of the coll-aerogenes group in 10 cubic centimeters; (c) all samples will show on alkaline reaction; (d) no sample will show less than 0.2 or more than 0.5 parts per million of residual chlorine when tested with ortho-toluidin; and (e) a black disk 6 inches in diameter when placed on the bottom of the pool in the deepest place will be clearly visible from the sidewalks at all distances up to 10 yards measured in a line across the pool through said disk. The testing for (a), (b), (c), and (d) shall be made in accordance with the latest standard methods of water analysis of the American Public Health Association.

(A-2) An efficient and dependable circulation and purification system shall be provided, consisting of circulation pumps and piping arranged for optimum circulation in the pool, a rapid sand filter with usual appurtenances, a chlorinator and a suction cleaner. This system shall be operated at all times when the pool is in use so as to admit into the pool, water conforming to the requirements of (A-1) in amount equal to at least 1,000 gallons per hour for each 20 persons using the pool during that hour. The walls and floors of the pool shall be kept clean at all times by vacuum cleaning. The capacities of the circulating pumps, filter and chlorinator shall be such that the entire contents of the pool may be withdrawn, filtered, sterilized, and returned to the pool at least once in eight hours, and the filter capacity shall be based on a rate not greater than 3 gallons of water per square foot of sand surface per

minute.

(A-3) The tank or pool shall be of concrete or other impervious material,

having inside surfaces smooth, white, and easily cleaned.

(A-4) A scum gutter shall be provided extending completely around the pool to effectively remove the accumulation of floating matter from the water. The gutter shall drain quickly and the bottom shall be sufficiently inaccessible that the fingers or arms of bathers can not come in contact with sputum and other

foul deposits remaining in it.

(A-5) Dressing rooms, hallways, toilet rooms, shower rooms, and all other places to which patrons and bathers have access, shall be kept clean, well ventilated and well lighted at all times when the pool is in use and shall be of first-class construction. All walks and floors used by bathers shall be of concrete or other impervious material, of first-class construction, properly drained, and roughened sufficiently to prevent slipping. The walks around the pool shall not drain into it.

(A-6) Adequate shower-bath facilities with hot and cold water and soap shall be provided for each sex, the minimum number of showers to be 1 for each 30 bathers expected at times of maximum use, and all bathers shall be required

to take a cleansing bath before entering the pool.

(A-7) Adequate water flush-toilet facilities shall be provided for each sex, so arranged that contamination of the pool water from them or their use will be impossible. The minimum number shall be 1 toilet for each 30 women and 1 toilet and 1 urinal for each 60 men, expected at times of maximum use.

(A-8) Provision shall be made for effectively preventing any person carrying germs of venereal disease or of any other infectious disease from using the pool.

(A-9) Bathing suits and towels shall be clean and free from excessive bacterial contamination. They shall be in a condition equal to that produced by commercial laundries. No common towels, combs, brushes, or drinking cups shall be permitted.

(A-10) Indiscriminate spitting about the pool shall be prevented.

(A-11) There shall be one or more competent attendants on duty at all times that the pool is in use.

Rule 25. Class B bathing places.—A bathing place which does not conform to specifications (A-1) to (A-11), inclusive, but which conforms to the following specifications, (B-1) to (B-10), inclusive, will be entitled "Class B bathing

place-Reasonably safe-Danger of infection slight."

(B-1) The water used for filling the pool and the water in all parts of the pool shall, at all times when the pool is in use, be of such quality that: (a) Samples plated on standard agar medium and incubated at 37° C. for 24 hours will not show more 2,000 bacteria per cubic centimeter; (b) not more than 50 per cent of the samples covering any considerable period will show a positive presumptive test for organisms of the coli-aerogenes group in 1 cubic centimeter; (c) all samples will show an alkaline reaction; and, (d) a black disk 6 inches in diameter when placed in the deepest part of the pool shall be clearly visible from above the water surface over it. The testing for (a), (b), and (c) shall be in accordance with the latest standard methods of water analysis of the

American Public Health Association.

(B-2) The walls and floor of the pool shall be effectively cleaned at least once a week, or oftener if necessary, to keep them clean in appearance. Either new, fresh water conforming to the bacteriological requirements of specification (A-1), rule 24, shall be added to the pool regularly at the rate of 1,000 gallons per hour for each 20 persons using the pool during that hour, or the entire water in the pool shall be sterilized at such intervals that not more than 7 persons per 1,000 gallons pool capacity will use the pool before it is sterilized. This sterilization shall be accomplished by the addition of a filtered solution of sodium hypochlorite or other chlorine liberating compound in amount representing 1 pound of available chlorine per 100,000 gallons of pool water. (Sodium hypochlorite usually contains 30 per cent available chlorine, so that a solution containing about 3 pounds of this would be sufficient to sterilize 100,000 gallons of pool water. The solution should be evenly distributed throughout the pool water. Example: If pool capacity is 50,000 gallons, 50 by 7, or 350 persons can use pool before it is sterilized. To sterilize a pool of this capacity, use solution containing 11/2 pounds of sodium hypochlorite.)

(B-3) The tank or pool shall be of concrete or other impervious material

having inside surfaces smooth, white, and easily cleaned.

(B-4) Dressing rooms, hallways, toilet rooms, shower rooms, and all other places to which patrons and bathers have access, shall be kept clean, well ventilated and well lighted at all times when the pool is in use and shall be of first-class construction. All walks and floors used by bathers shall be of concrete or other impervious material, of first-class construction, properly drained, and roughened sufficiently to prevent slipping. The walks around the pool shall not drain into it.

(B-5) Adequate shower bath facilities shall be provided for each sex and all bathers shall be required to take a cleansing bath before entering the pool.

(B-6) A'dequate toilet facilities shall be provided for each sex, so arranged and maintained that contamination of the pool water from them or their use will be impossible.

(B-7) All persons known to be or suspected of being afflicted with venereal

disease or other infectious diseases shall be excluded from the pool.

(B-8) Bathing suits and towels shall be clean and free from excessive bacterial contamination. They shall be in a condition equal to that produced by commercial laundries. No common towels, combs, brushes or drinking cups shall be permitted.

(B-9) Indiscriminate spitting about the pool shall be prohibited.

(B-10) There shall be one or more competent attendants on duty at the pool

at all times that it is in use.

RULE 26. Class C bathing places.—A bathing place which does not conform to the specifications of either Class A or Class B bathing places will be entitled "Class C bathing place—Unsafe—Considerable danger of infection." The owner or operator of any Class C bathing place shall, immediately upon notification by the State board of health, close said bathing place to the public and prevent any bathing therein until it has been improved so as to conform to the specifications for either Class A or Class B bathing places.

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Camps, Summer Resorts, and Other Unincorporated Communities—Water Supplies—Sanitary Disposal of Human Excreta—Collection and Disposal of Garbarge. (Reg. Bd. of H., September 2, 1927.)

[Regulation 67.]

Rule 16. Rural and camp water supplies.—All public and private camps, summer resorts, and other unincorporated communities shall have an adequate

supply of safe water for drinking and culinary use.

Generally, small water supplies from wells or springs are safer for drinking and culinary use than those from running streams, as there is always a possibility for a stream to become contaminated without its being known to water users until their have contracted some water-borne disease. Water in streams does not purify itself in flowing a hundred feet, nor in flowing a hundred miles. Do not take a chance by drinking water from a stream unless it is adequately purified by artificial means. It may be crystal clear, yet contains the germs of typhoid fever, dysentery, or diarrhea. Use water only from supplies you know to be safe.

To be safe, wells and springs should be covered water-tight, so that no contamination may enter at the top either through chance or malice. There should be no privies, cesspools, septic tanks, or sewers, or other sources of contamination above a well or spring within 500 feet, or on level ground or below within

200 feet.

Rule 17. Rural and camp sewerage.—All public and private camps, summer resorts, and other unincorporated communities shall be provided with adequate

sewerages facilities, as follows:

(a) Where possible, water flush toilets shall be provided, and the sewage disposed of in properly constructed and located cesspools or septic tanks with subsurface seepage systems. (See rules 19 and 20 for proper construction and location of septic tanks and cesspools.)

(b) Where water flush toilets can not be used, properly constructed and located privies shall be provided. (See rule 21 for proper construction and

location of privies.)

(c) Where desired, properly located chemical toilets may be used in place of

privies. (See rule 22 for the proper location of chemical toilets.)

Rule 18. Rural and camp garbage disposal.—All public and private camps, summer resorts, and other unincorporated communities shall provide regular and frequent collection of garbage and some means of disposal which will not contaminate any watercourse or cause a nuisance. The breeding of flies shall be

prevented as much as possible.

Rule 19. Septic tanks.—Septic tanks shall be constructed of good quality concrete or other impervious and durable material. Their working capacity should not be less than 30 gallons (about 4 cubic feet) per person served, and the minimum size tank, for two to ten persons, should not be smaller than 300 gallons. Larger tanks operate more efficiently and require less frequent cleaning. The depth below the water line should not be less than 4 feet, and the length should be at least twice the width. Baffles should be provided to prevent currents directly through the tank and the outlet should be arranged to prevent scum at the top or sludge at the bottom from passing out.

The liquid coming from septic tanks is not purified; it merely has most of the solid particles of the sewage removed, and it has practically as many disease germs in it as the raw sewage. Consequently this liquid must not be permitted to enter any stream, lake, well, or spring used for a domestic water supply; it must be disposed of by letting it seep into the ground through cesspools, or through subsurface disposal fields composed of tile pipes laid with open joints, on a flat grade, about a foot below the ground surface.

Septic tanks and all parts of their seepage systems should be located at least 100 feet from any mountain stream, lake, or dry gulch, 200 feet from any well and 300 feet from any spring. There should be no possibility for sewage or septic tank effluent to flow over the ground or enter any such water-

course.

Septic tanks should be cleaned about once a year by removing the scum from the top and the sludge from the bottom. These substances, if left in the tank, reduce its capacity and its efficiency. The contents removed should be buried under a foot of ground at the distances from watercourses specified for earth pit privies in Rule 21.

RULE 20. Cesspools.—Cesspools can be used to dispose of untreated sewage only where the soil is composed of coarse gravel. They should not be located less than 300 feet from any mountain stream, lake, or dry gulch, and 500 feet from a well or spring. There should be no possibility for sewage to flow over the ground surface or to enter any such watercourses. Provision should be made for preventing any surface run-off from entering any cesspool.

RULE 21. Privies.—Privies should not be tolerated where water flush toilets

can be provided.

There are three types of privies in common use, those having earth pits, those having water-tight concrete vaults, and those having removable pails. The same type of building will serve for each type, and it should be well constructed, well ventilated, and fly-tight. The vault, pit, or pail should be as dark as possible to discourage the entrance of flies. The seat should have a

hinged cover which will automatically fall in place after each use.

Earth pit privies should not be located less than 100 feet from any mountain stream, lake, or dry gulch, 200 feet from any well, or 300 feet from any spring. Water-tight, concrete vault privies should not be located less than 15 feet from any such watercourse. There should be no possibility of surface run-off entering privy vaults. Removable pail type privies should not be located in the mountains, since, through careless emptying of the pails, contamination of streams and other watercourses would be likely to result. No privy should be located less than 50 feet from a residence, and this distance should be more if possible to guard against the infection of food by flies.

Some efficient sterilizing compound should be placed in privy vaults and pails at regular and frequent intervals, such as chloride of lime, unslaked lime, cresol, etc. In the case of pail type privies, the pail contents should be treated with some such sterilizing compound before emptying, and the contents should be buried under a foot of earth at the distances from watercourses specified herein for earth pit privies. When the contents of concrete vault or earth pit privies are removed, they should be similarly treated and buried, and under no conditions deposited in a watercourse or on the surface of the

ground.

Rule 22. Chemical toilets.—Chemical toilets are little better than privies unless the bowls are carefully and frequently cleaned and unless the contents are properly treated with the necessary chemicals and regularly removed. They should not be located within a residence, but should be entirely outside

and as far as possible from the kitchen.

Because of the uncertainty of the sterilization of the contents by the chemical, the cesspools for chemical toilets should not be located less than 100 feet from any mountain stream, lake, or dry gulch, 200 feet from any well and 300 feet from any spring. Removable pail type chemical toilets should not be located in the mountains, since, through careless emptying of the pail contents, contamination of streams and other watercourses would likely occur. The pail contents should be buried under a foot of earth at the distances from watercourses specified for earth pit privies in Rule 21.

Barbers, Barber Shops, and Barber Schools—Sanitary Requirements. (Reg. Bd. of H., September 2, 1927)

[Regulation 63, relating to barbers, reads the same as regulation 60 ¹⁹ of the 1920 regulations, with the exception of the following rule, which has been added:]

RULE 12. A copy of these rules must be conspicuously posted at all times where it can be seen and read by patrons in every barber shop, barber school, barber college, or other place where a barber business is conducted.

Laundries and Cleaning Establishments—Sanitary Requirements. (Reg. Bd. of H., September 2, 1927)

[Regulation 56, relating to laundries and cleaning establishments, reads the same as regulation 61^{10} of the 1920 regulations.]

¹⁹ Supplement 43 to Public Health Reports, p. 90.

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Rags and Secondhand Goods—Disinfection—Sale. Bedding—Manufacture, Labeling, and Sale. (Reg. Bd. of H., September 2, 1927)

[Regulation 61, relating to rags, secondhand goods, and bedding, reads the same as regulation 62^{21} of the 1920 regulations with two exceptions. The last paragraph of rule 4 has been changed to read as follows:]

The sale of any mattresses or other article of bedding which has been used in or about a public or private hospital or sanatorium or about any person having a communicable disease is prohibited unless properly disinfected.

[Rule 7 has also been changed to read as follows:]

Rule 7. All rules regulating the manufacture, transportation, and sale of mattresses shall apply in like manner to pillows, cushions, muff beds, comforts, quilted pads, down quilts, contents of bags containing hair, cotton, down, wool, shoddy wool, cotton linters, or feathers, or any other bedding material.

Standard Railway Sanitary Code. (Reg. Bd. of H., September 2, 1927)

[Regulation 62, adopted by the State board of health on September 2, 1927, contains the provisions of the standard railway sanitary code.²²]

Noxious Rodents-Control and Eradication. (Ch. 153, Act May 7, 1927)

[This act provides for the control and eradication of noxious rodents in cooperation with the Bureau of Biological Survey of the United States Department of Agriculture.]

Supplement 43 to Public Health Reports, p. 92.
 Supplement 46 to Public Health Reports.

CONNECTICUT

Communicable Diseases-Reports of Cases. (Ch. 164, Act May 3, 1927)

Section 2415 of the general statutes is amended to read as follows:

Every physician shall report in writing every case of cholera, yeliow fever, typhus fever, leprosy, smallpox, diphtheria, membranous croup, typhoid fever, scarlet fever, diseases of a venereal nature, or other contagious or infectious diseases occurring in his practice to the health officer of the town, city, or borough in which such case shall occur, within 12 hours after his recognition of the disease, provided, in reporting any disease of a venereal nature, the name of the patient suffering from the same shall not be disclosed, except that any physician who has been treating a case of venereal disease shall report the patient by name, address, age, and occupation when the patient shall fail to return for treatment while in the communicable stage of the disease. Every person who shall violate any provision hereof shall be fined not more than \$25.

Occupational Diseases—State Department of Health Authorized to Investigate and Make Recommendations for Elimination or Prevention of. (Ch. 326, Act June 3, 1927)

Section 1. The State department of health is authorized to investigate and to make recommendations for the elimination or prevention of occupational diseases which have been reported to it or which shall be reported to it in accordance with the provisions of chapter 93 of the public acts of 1923. Said department is also authorized to study and provide advice in regard to conditions that may be suspected of causing occupational diseases.

Sec. 2. The sum of \$17,500 is appropriated for the purpose of carrying out the provisions of this act.

Hospitals-License. (Ch. 178, Act May 5, 1927)

Section 1. No person, firm, or corporation shall operate a hospital for the care of the sick, unless such person, firm, or corporation shall have obtained a license therefor from the State department of health.

Sec. 2. For the purpose of this act, a nospital is defined as an institution for the lodging, care, and treatment of persons suffering from disease or other

abnormal physical conditions.

SEC. 3. The State department of health shall, in its sanitary code, define the minimum requirements for a hospital. The State department of health, after receiving an application in writing, and making such investigations as shall be deemed necessary, and finding the specified requirements to have been fulfilled, shall grant a license to operate a hospital. Such license shall terminate on December 31 of each year, and may be revoked by the State department of health, after hearing, for failure by the holder thereof to carry out the requirements established by law.

Sec. 4. The provisions of this act shall not apply to any hospital or institution wholly or partially supported by the State, or to any institution coming under the provisions of section 1695, section 3023, or section 2647 of the general

statutes.

Sec. 5. Any person or any officer or agent of a corporation who shall violate any provision of this act shall be fined not more than \$1,000 or imprisoned not more than six months, or both.

Public Health Nursing Service—State Aid to Towns. (Ch. 298, Act June 8, 1927)

SECTION 1. On or before August 1 in each year the treasurer of each town, consolidated town and city, and consolidated town and borough, shall return to the tax commissioner a statement, under oath, of the amount received as taxes

¹ Supplement 49 to Public Health Reports, p. 95.

laid upon the property valued in the grand list of such municipality, including the amount received from personal taxes, taxes on shares of stock in any bank, trust, or insurance company received from the State, with the amount received from taxes by any city, borough, fire district, municipal association, or school district within such municipality, including also the amount which would have been received from all property exempted from taxation under the provisions of any special act or by town vote, as provided by sections 1161 and 1162 of the general statutes, for each of the three fiscal years next preceding the previous July. As long as there shall be a State tax, the reports filed with the tax commissioner under the provisions of section 1225 of the general statutes shall be used in lieu of the reports required by this section. On or before October 1, 1927, and on or before October 1 of each year thereafter, the tax commissioner shall certify to the commissioner of health the names and the amounts of all towns whose average receipts so reported for such three years shall not be in excess of \$50,000.

Sec. 2. Towns having average receipts of not over \$50,000 for the three fiscal years preceding, as determined in section 1 of this act, shall be divided into nine classes, as follows: First class, towns having average receipts so determined of not more than \$10,000; second class, towns having average receipts of over \$10,000 but not in excess of \$15,000; third class, towns having average receipts of more than \$15,000 but not in excess of \$20,000; fourth class, towns having average receipts of more than \$20,000 but not in excess of \$25,000; fifth class, towns having average receipts of more than \$25,000 but not in excess of \$30,000; sixth class, towns having average receipts of more than \$30,000 but not in excess of \$35,000; seventh class, towns having average receipts of more than \$35,000 but not in excess of \$40,000; eighth class, towns having average receipts of more than \$40,000 but not in excess of \$45,000; ninth class, towns having average receipts of more than \$45,000 but not in excess of \$50,000.

Sec. 3. Each such town may apply to the State department of health, as provided in section 4 of this act, for aid in establishing a public health nursing service for providing visiting nurses under the authorization of chapter 284 of the public acts of 1923. No town entitled to aid under the provisions of this act shall receive more than its proportionate share of State reimbursement on the cost of the service for one nurse, provided, if two or more towns entitled to such aid shall unite to employ jointly one nurse, each such town so uniting shall be entitled to reimbursement from the State of such percentage of its share in the payment of the cost of the service as is provided by this act. Towns in the first class shall receive, as reimbursement from the State, 75 per centum of such cost; towns in the second class shall receive 70 per centum; towns in the third class shall receive 65 per centum; towns in the fourth class shall receive 60 per centum; towns in the fifth class shall receive 50 per centum; towns in the sixth class shall receive 40 per centum; towns in the seventh class shall receive 30 per centum; towns in the eighth class shall receive 20 per centum; towns in the ninth class shall receive 10 per centum.

Sec. 4. Any such town, through its health officer or board of health, may submit a public health nursing program, except public school nursing, and make application to the State department of health for the approval of the program submitted. Upon approval of said public health nursing program by the State department of health, and until such time as said approval may be withdrawn,

such town shall be entitled to aid as provided by this act.

Sec. 5. Each town, after the approval of its public health nursing program, shall certify to the State department of health, on or before the 15th days of January, April, July, and October, the cost of such service as shall have been maintained during the three months ending on the last days of the months next preceding such dates, respectively, under the public health nursing program approved as provided in section 4 hereof. The proportion of such cost for which such town may be entitled to be reimbursed shall be paid to such town after approval by the State department of health.

Sec. 6. No public health nurse shall be employed by any town receiving aid under this act until her qualifications for such work shall have been approved and certified in a manner to be determined by the State department of health.

Sec. 7. The local health officer or the local board of health shall administer the public health nursing service, except public school nursing, but such health officer or board of health may appoint some person or group of persons to administer such public health nursing service.

Sec. 8. The sum of \$30,000 is appropriated for the purpose of carrying out the

provisions of this act.

Milk and Cream—Sanitary Requirements Governing Milk House or Room— Sterilization of Bottles, etc.—Handling and Sale—Service of Milk in Original Bottle Required in Restaurants, etc.—Pasteurization. (Ch. 232, Act June 7, 1927)

[This act amends sections 11, 15, 16, and 20 of chapter 225,2 laws, 1925,

to read as follows:1

[SEC. 11.] A milk house or room shall be provided in any dairy where milk is being produced, handled, or sold, and such house or room shall be used exclusively for the care, cooling, handling, and storing of milk or products thereof, and shall have a smooth, concrete floor, graded, drained, and trapped, so that water will not stand on the floor. The space occupied by windows shall equal at least 10 per cent of the floor area. All windows, doors, or other openings shall be effectually screened during the fly season. It a steam boiler shall be used a suitable ventilator shall be provided in the ceiling to carry off the steam. Milk plants in which milk is being prepared for retail trade shall be equipped with suitable facilities for washing and sterilizing bottles, cans, and other equipment, and shall have an adequate supply of hot and cold water, and if a steam boiler and sterilizer shall not be used, a chemical solution approved by the dairy and food commissioner, shall be used for sterilizing purposes.

[Sec. 15.] No person shall bottle, pour, dip, or measure any milk, cream, skim milk, or buttermilk for sale at retail in any vehicle upon any street, or in any other place than a milk room or place approved by the dairy and food commissioner. Milk, when served by any hotel, restaurant, lunchroom, fountain, or other place of public entertainment, shall be served in the original bottle, the cap of which shall not be removed except in the presence of the consumer or patron, but this provision shall not apply to cream so served or to mixed beverages of which milk forms a part.

[Sec. 16.] No person, firm, or corporation shall engage in the process known as "Pasteurization of milk or cream" for public sale until a permit shall have been issued by the dairy and food commissioner. Such permit shall be issued for a period ending December 31st of each year, and may be suspended or revoked at any time for cause by the dairy and food commissioner. During pasteurization a competent person shall be in charge who shall have passed an examination satisfactory to the dairy and food commissioner and shall hold a certificate to pasteurize milk, which certificate shall be valid until revoked. No milk or cream shall be sold in this State as "pasteurized" milk or cream unless produced in accordance with the

provisions hereinafter specified.

[Sec. 20.] Each pasteurizing plant, except such plants as shall use the single "batch" system, shall be equipped with an automatic controller and an automatic recording thermometer, which shall regulate and register on a chart the temperature of the milk or cream as it shall be pasteurized. The recording thermometer shall be tested at least twice each week by a certified operator, and an accurate record of the findings shall be kept in such a manner as the dairy and food commissioner may require, showing the date when the thermometers were tested. Each plant shall be equipped with a certified thermometer for checking the accuracy of recording thermometers, and such thermometer shall be certified as to its accuracy before using by the Connecticut Agricultural Experiment Station, at New Haven. An automatic controller and a duplicate automatic recording thermometer shall be kept in reserve in good repair at all times. Plants pasteurizing with the "batch" system, with one tank, shall be equipped with an automatic recording thermometer which shall register on a chart the temperature of the milk or cream as it shall be pasteurized, and a duplicate automatic recording thermometer shall be kept in reserve in good repair at all times. Each chart for recording shall be certified to by the dairy and food commissioner before being used, while in use shall be kept in a locked chamber and after use shall be preserved for at least six months, subject to inspection by the dairy and food commissioner.

^{*} Supplement 59 to Public Health Reports, p. 50.

Certain Milk—Sale Prohibited. Results of Certain Bacteria Counts or Tests of Milk—Use or Publication Prohibited. (Ch. 157, Act May 3, 1927)

Section 2482 of the general statutes, as amended by chapter 101 of the

public acts of 1925, is amended to read as follows:

"No person, firm, or corporation shall offer or sell or expose for sale for human consumption any milk containing an average of more than 1,000,000 bacteria per cubic centimeter, as determined by analyses made by a laboratory approved by the State department of health of at least three separate samples taken, within a period of not exceeding 30 days, from milk offered or sold or exposed for sale by the same person, firm, or corporation, and no person, firm, or corporation shall, for any purpose, use or publish any result of any count or test of bacteria, which count or test shall not have been made by the State department of health or by a laboratory approved by the State department of health. Any person, firm, or corporation violating any provision hereof shall be fined not more than \$100."

Food and Drugs—Enforcement of Certain Statutory Provisions Relating to. Milk and Cream—Taking of Samples. (Ch. 106, Act April 26, 1927)

Section 2479 of the general statutes is amended to read as follows:

"The dairy and food commissioner shall have power to enforce the provisions of sections 2436 to 2478, inclusive, of the general statutes, and, when the necessary evidence is submitted by the Connecticut Agricultural Experiment Station or the State department of health that any of said provisions has [sic] been violated, he shall make complaint to the prosecuting officer having jurisdiction thereof. The dairy and food commissioner or his authorized agent shall have the right to take samples of milk or cream from any producer or vendor upon the tender of the market price thereof, and shall seal and mark such samples, and, upon request of such producer or vendor or his agent, shall seal and mark duplicate samples of such milk or cream and leave the same with such producer or vendor. Any two bottles of milk or cream procured as a sample as herein provided shall be deemed duplicates for the purpose of this act."

Business of Bottling Water and Manufacture and Bottling of Soft Drinks— License—Sanitary Requirements—Marking and Use of Containers. (Ch. 263, Act June 8, 1927)

Section 1. Section 2 of chapter 1023 of the public acts of 1925 is amended

to read as follows:

"A fee of \$20 shall accompany each application for the license provided for in said chapter 102. Each such license shall expire on the 30th day of June next following the issuance thereof. Such license shall be in such form as the commissioner shall determine and shall be kept exposed to view in a conspicuous place upon the premises where such business shall be conducted or carried on. All fees received for such licenses shall be paid by the commissioner to the State treasurer and shall be added to the regular appropriation for the expense of the dairy and food commissioner. No person, firm, or corporation shall sell or offer for sale within the State any beverages manufactured or bottled beyond the boundaries of the State unless such person, firm, or corporation shall have made application for and secured a license from the dairy and food commissioner upon the payment of \$20, and no such license shall be issued by the dairy and food commissioner until such establishment shall have been inspected by him or his agent, or until such establishment shall have furnished said commissioner a certificate from the commission having the enforcement of the beverage law in the State where such establishment is located that such establishment complies in every respect with the requirements of the Connecticut beverage law."

SEC. 2. Section 3 of said chapter is amended to read as follows:

"The establishment used for the preparation, manufacture, and bottling of any beverage shall be adequately lighted and ventilated and all floors shall be constructed of cement, concrete, or tile laid in cement or other material imper-

⁸ Supplement 59 to Public Health Reports, p. 58.

vious to water, and shall have sufficient pitch to insure drainage; walls and ceilings shall be varnished or painted in light color and kept clean; doors, windows, and other openings of any room in which beverages or the ingredients of such beverages shall be prepared shall be screened and all entrances and exits shall be equipped with automatic closing devices, and each room in such establishment shall have at least one device for the catching of flies. Wash başins, sinks, and toilets shall be provided for employees, and no toilet shall open directly into any room used for the preparation or bottling of any beverage. Each such establishment shall be equipped with adequate and efficient machinery for the soaking, automatic cleaning, and sterilizing of all bottles in which any such beverage or water shall be placed for the purpose of sale. The term 'beverage' as used herein shall include all waters, soft drinks, and like products,

whether simple, mixed, or compounded."

SEC. 3. No person, firm, or corporation shall sell, offer for sale, or give away within the State any beverage in bottles or other containers unless each of such bottles or containers shall have blown into it, etched, or engraved, or otherwise indicated thereon, the name of the person, firm, or corporation manufacturing or bottling such beverage or the name of the registered trade-mark of such beverage. The filling or refilling of any glass, jar, bottle, or other container with beverages, water, mineral water, or any other drink or fluid, with intent to sell or vend such water, beverage, or fluid, which bears the label of any other person, firm, or corporation or which has blown into it the name or trade-mark of any person, firm, or corporation, without the consent of such person, firm, or corporation shall constitute misbranding in violation of the provisions of section 2439 of the general statutes. Any person who shall violate any provision of this section shall be subject to the penalties provided in section 10 of said chapter 102.

Areas Free from Bovine Tuberculosis—Establishment—Bringing of Cattle into—Tuberculin Testing of Cattle in. (Ch. 188, Act May 3, 1927)

Section 1. The commissioner on domestic animals shall establish circumscribed areas, as hereinafter provided, within which all neat cattle shall be subjected to tuberculin test. Upon petition of the owners of 85 per cent of the cattle in any such area that have been placed under Federal and State supervision for the eradication of tuberculosis and the finding, after investigation, that the facts stated therein are substantially true, or, upon the establishing by the commissioner of the fact that the owners of 85 per cent of such cattle within any such area have signed the application and agreement provided for in chapter 262 4 of the public acts of 1925, upon comparing a certificate, which shall be signed by the town clerk, of the enumeration of cattle, as set forth on the last-completed grand list or lists of the town or towns either in whole or in part within such area, with the records of tuberculin-tested cattle in the office of the commissioner, the commissioner shall, if sufficient funds shall be available for such purpose, establish such area, which he shall fully bound and describe as an area within which bovine tuberculosis shall be eradicated at Federal and State expense as provided by statute, and shall cause all neat cattle within such area to be tested, quarantined, appraised, and condemned as provided by The commissioner shall cause the establishing of such area and the proceedings to be taken therein, as herein provided, to be advertised in some newspaper having a circulation in the town or towns included in such area and a notice thereof to be posted on a public signpost in each town wholly or in part within such area not less than 10 or more than 30 days before such proceedings shall be begun.

SEC. 2. No cattle shall be brought or transported into such area, after the same shall have been established, except in compliance with the provisions of section 10 of chapter 262 of the public acts of 1925, and except cattle being trans-

ported through such area on the highways by truck or railroad.

Sec. 3. Not later than six months from the date of establishing any such area, the commissioner shall test all remaining untested cattle therein under the statutory provisions therefor.

Sec. 4. After the testing of all such neat cattle within each such area shall have been completed as herein provided, such area shall be kept free from

⁴ Supplement 59 to Public Health Reports, p. 63.

bovine tuberculosis at Federal and State expense by the tuberculin-testing of all cattle therein at least once per year under the statutory provisions therefor.

Sec. 5. Any person or any officer or agent of any corporation who shall violate any provision of section 2 hereof shall be fined not more than \$100 or imprisoned not more than 30 days, or both, for each such violation, and the transportation of each such animal into such area contrary to the provisions of said section shall constitute a separate violation.

Bovine and Equine Animals—Appraisal and Destruction—Indemnity to Owners. (Ch. 265, Act June 8, 1927)

Section 2095 of the general statutes as amended by chapter 116 $^{\rm s}$ of the public acts of 1923 and by chapter 233 $^{\rm s}$ of the public acts of 1925 is amended

to read as follows:

"The commissioner on domestic animals may cause any domestic animal quarantined in accordance with the provisions of section 2094 of the general statutes to be killed, but no bovine or equine animal so quarantined shall bekilled until its value shall have been determined by the owner and the commissioner. If they shall be unable to agree upon the value of such animal, each shall choose an arbitrator and the two so chosen shall choose a third and the three so chosen shall determine the value of such animal, and the value sodetermined shall be approved by the commissioner, and, when a sworn certificate shall have been filed with the commissioner that such animal has been killed. and buried and the premises disinfected according to the order of the com-missioner, within a period of 15 days following the issuance of such order, such amount shall be paid to the owner by the State upon the order of the comptroller. If such three arbitrators shall not agree, they shall so find and report and other arbitrators may be appointed as hereinbefore provided, whoshall proceed in the same manner as those first chosen; but no animal, the physical condition of which is such that it is of no real value, and no animal which shall have been in the State for a period of less than three months next preceding its quarantine, shall be paid for by the State: Provided, Such award may be paid in the case of cattle from any herd which shall have been officially accredited or from any herd from which the entire number shall have passed two regular tuberculin tests and a physical examination made under the provisions of the rules and regulations for accredited herds as approved by the officials of the State from which such cattle were shipped and by the commissioner on domestic animals and such cattle have not, since passing such tests, been exposed to infection from tuberculosis. The provisions of this act shall not apply to animals condemned to prevent the spread of the foot-and-mouth disease. When the value of any such animal shall be appraised as provided herein, the State shall pay for any purebred bovine or equine animal a sum not exceeding \$200, and for any such graded animal a sum not exceeding \$150. No compensation shall be paid to the owner of any such domestic animal by the State unless such animal shall have been destroyed to prevent the spread of an infection [sic] or contagious disease."

Waters—Prevention of Pollution by Garbage and Refuse. (Ch. 315, Act June 8, 1927)

Section 1. No person or municipal or private corporation shall depos't any garbage, domestic refuse, or other material of like nature, in the waters of any river, stream, pond, lake, or tidal waters of this State or shall establish or maintain or cause the use of any place for the disposal of any such material on any land within a distance of 50 feet of the high-water mark of any such waters or in any place where storm or high water may carry such material to an adjacent waterway. The State water commission, upon the written application of the owner of any such land, containing such information as the commission may require, shall, if satisfied that such deposit will not cause the pollution of any adjacent waters, issue a permit under such conditions as it may specify authorizing such deposit.

SEC. 2. Any person who shall violate any provision of this act shall be fined not more than \$200.

Supplement 49 to Public Health Reports, p. 101.
 Supplement 59 to Public Health Reports, p. 66.

Stillbirths--Registration. (Ch. 9, Act March 11, 1927)

Section 1. A stillborn child shall be registered as a stillbirth and a stillbirth certificate shall be filed with the registrar of vital statistics in the manner

required by statute for the filing of a birth certificate.

Sec. 2. For the purposes of this act, a foetus born after a known period of gestation of not less than 28 weeks or measuring at least thirteen and eightenths inches from the crown of the head to the sole of the heel, the body being fully extended, in which foetus there is no attempt at respiration, no action of heart, and no movement of voluntary muscle, shall be recorded as a stillbirth.

SEC. 3. Any person violating any provision of this act shall be subject to the

penalties of section 338 of the general statutes.

Disinterment or Removal Permits-Issuance. (Ch. 7, Act March 11, 1927)

Section 335 of the general statutes is amended to read as follows:

"On receipt by the registrar of vital statistics of any town of a certificate of death containing the facts required by statute for a permit for burial, or when it appears that such certificate is already a matter of record, or that the original burial permit, by virtue of which the body of any deceased person was brought into such town, is on file or recorded in such registrar's office, the registrar upon request shall issue a permit for the disinterment or removal of such body, stating therein the locality of the interment, disinterment, or removal; but no permit for the disinterment of the body of any deceased person shall be issued in any case where death was caused by an infectious disease except by the permission and under the direction of the town health officer."

Towels—Furnishing in Hotels and Public Lavatories. (Ch. 154, Act May 3, 1927)

Section 2675 of the general statutes is amended to read as follows:

"All towels provided by any hotel, for the use of guests therein, or by any public lavatory shall be individual towels, or towelling may be provided so arranged in locked cabinets that each user may pull out a clean portion and the used portion shall be automatically drawn into a separate compartment and mechanically locked to prevent withdrawal for refuse. Any such towels or towelling which shall have been used and discarded by an individual shall not be used again until thoroughly washed and dried. Each guest occupying a room in any hotel shall be furnished with such towels in such room; and, in the public washroom, if any, in such hotel, there shall be kept at all times, in sight of and easy of access to guests, a sufficient supply of individual towels or towelling so arranged in locked cabinets that each user may pull out a clean portion and the used portion shall be automatically drawn into a separate compartment and mechanically locked to prevent withdrawal for refuse. The owner, manager, agent, or person in charge of any hotel or public lavatory who shall fail to comply with any of the provisions hereof shall be fined not less than ten nor more than one hundred dollars for each offense."

Tetraethyl Lead—Regulations Concerning, to Be Included in Sanitary Code. (Ch. 6, Act March 11, 1927)

The State department of health is directed to include in the sanitary code regulations concerning tetraethyl lead.

Tetraethyl Lead—Manufacture—Blending with Other Ingredients to Make Ethyl Fluid—Mixing of Ethyl Fluid with Gasoline—Sale of Ethyl Gasoline—Physical Examination of and Reports Concerning Employees. (Reg. Dept. of H., July 21, 1927)

[SANITARY CODE, CHAPTER III. REGULATIONS CONCERNING TETRAETHYL LEAD]

REGULATION 250. For the purpose of these regulations the term tetraethyl lead is meant the chemical substance Pb $(C_2H_6)_4$ of a commercial grade of purity or higher. Ethyl fluid is the concentrated commercial fluid containing tetraethyl lead and other ingredients, which is to be mixed with gasoline to make ethyl gasoline. The manufacture of ethyl fluid consists in adding these

other ingredients to tetraethyl lead and is called blending. The process of adding the ethyl fluid to gasoline to form ethyl gasoline is called mixing. In the term ethyl gasoline as herein used are included all other motor fluids containing tetraethyl lead.

REGULATION 251. Regulations for the manufacture of tetraethyl lead and the blending of the latter to make ethyl fluid.—(a) No person shall be employed without adequate instructions as to the nature of the hazard and the precautions

to be taken.

(b) Each worker shall have a periodical physical examination which shall consist of such physical and other tests as are indicative of the absorption of

tetraethyl lead and shall include, as a minimum, the following items:

I. Examination of blood for stippling by carefully trained workers, using positive and negative controls, without knowledge of the source of the slides; this examination shall be once a week for the first three weeks, and bimonthly thereafter.

II. Semimonthly contact with plant physicians for informal statement as to

general health.

III. Bimonthly weight, stripped.

IV. Bimonthly systolic and diastolic blood pressure estimation, while sitting. V. Bimonthly hemoglobin estimation by Dare's hemoglobinometer. Exact records of these examinations shall be kept, and persons showing gradually increasing amounts of stippling, sudden development of stippling, or other marked deviation from normal shall be promptly excluded from tetraethyl lead work, irrespective of whether or not such finding may be indicative of lead poisoning. All parts of the plant where lead in any form is used shall be subject to sanitary measures to prevent collection and dissemination of lead dust.

(c) Separate ventilation systems shall be provided for the manufacturing apparatus, and for the air of the rooms, the outlets of the latter being located near the floor of each room, and all external inlets and outlets being so situated as to avoid dustiness and appreciable contamination of the air around the

plant.

(d) Daily inspection shall cover efficiency of ventilating systems, all joints, valves, and gaskets of manufacturing apparatus, and adequacy of pressure-

hose respirators.

(e) All containers of ethyl fluid or tetraethyl lead shall be labeled as to exact content and danger and shall conform to the regulations of the Interstate Commerce Commission. These containers shall be carefully tested for leaks and shall bear a plainly legible label stating that they are to be closed tight immediately when emptied, without cleansing, and sent back to the plant.

(f) If kerosene or other material used for cleansing the containers of ethyl fluid or tetraethyl lead shall be placed in the containers by means of a closed

system with air vents to outside air and with adequate ventilation.

(g) The filling shall be performed by means of a closed system with air vent

from the container to the outside air, and with adequate ventilation. (h) A dye shall be added to ethyl fluid in sufficient amount to give staining qualities to the ethyl gasoline to deter individuals from using it for cleansing or other similar purposes.

(i) Reports shall be made monthly to the State department of health cover-

ing the following points:

Number of workers employed at beginning of month.

Number of workers employed at close of month.

Number of new workers.

Number of workers separated from tetraethyl lead work on account of results of examinations.

Number of definite cases of poisoning.

Condition of cases of poisoning previously reported so far as known.

REGULATION 252. Regulations for mixing.—(a) The maximum content of tetraethyl lead in commercial ethyl gasoline shall be in the proportion of 1:1,260 by volume for commercial tetraethyl lead, or 1:1,300 for Pb (C_2H_5)₄ C. P.

(b) Mixing ethyl fluid with gasoline except for certain specific requirements such as research, military and naval use, and air mail service shall be done only at the main distribution centers and in not less than tank car lots. Adequate provision shall be made at each such center for thorough mechanical distribution of the ethyl fluid throughout the gasoline, and the efficiency of such distribution shall be controlled by the analysis of samples.

(c) The location of these centers and the names of persons engaged in mixing shall be reported to the State department of health of the state of employment.

As few persons at each center as practicable shall be employed for this (d)

work.

(e) No person shall be engaged in mixing until adequately instructed as to the mechanics of mixing, the dangers, and the precautions to be taken.

(f) The distributor of ethyl fluid shall provide a special corps of adequately

trained instructors and service men.

(g) All mixing shall be done with the maximum ventilation practicable

under weather conditions existing at the time.

(h) Operation of the pumps shall be instantly stopped at the appearance of a leak or other defect, and no attempt shall be made to repair or disconnect the system until a qualified man takes personal charge of it.

(i) Floors of all places where any possibility of spilling is present are to be provided with drains and proper facilities for making possible a complete flushing out of all spilled fluid, or in their absence provision shall be made for chemically neutralizing any spillage as it occurs.

(j) No bulk mixing station shall be dismantled or disconnected for repairs

except by a qualified man.

(k) Kerosene or other efficient means of preventing skin absorption of tetraethyl lead and washing facilities shall always be conveniently available.
(1) The rules and instructions affecting the employees shall be posted in a

conspicuous place where the ethyl fluid is being handled.

REGULATION 253. Regulations for distribution of ethyl gasoline.—(a) Each filling station shall have prominently displayed at the pump, or in other conspicuous place, the following warning or one of similar effectiveness: "Ethyl gasoline containing tetraethyl lead, to be used as motor fuel only, and not for cleaning or any other purpose."

(b) Leaflets approved by the State department of health shall be available at all filling stations where ethyl gasoline is sold and shall describe the possible

dangers and precautions to be taken in the use of ethyl gasoline.

(c) Containers of ethyl gasoline sold to the general public shall be labeled: "Ethyl gasoline containing tetraethyl lead. To be used for motor fuel only and not for cleaning or any other purpose."

Hairdressers and Cosmeticians-Registration of Places of Business of-License and Conduct of Schools for—Approval by State Board of Health of Regulations Pertaining to. (Ch. 303, Act June 8, 1927)

SEC. 4. The manager or proprietor of any shop, store, or place in which it is desired to conduct the business of a hairdresser or a cosmetician shall apply to the commissioners [of hairdressers and cosmeticians] for registration of such shop, store, or place, and shall secure registration thereof as such shop, store, or place for one year following the date of the certificate of registration, on payment of a registration fee of \$10 for the registration of each occupation to be conducted therein, and, on evidence satisfactory to the board that such shop, store, or place is, with respect to its location and appointments, suitable and sanitary, and will be conducted in compliance with law and with the rules and regulations of said board, a certificate of registration shall be issued to such proprietor by the commissioners. Such certificate of registration shall be conspicuously posted within such shop, store, or place.

SEC. 6. Schools for the instruction of hairdressers or cosmeticians may be established in this State, provided the person, firm, or corporation owning and managing each such school shall apply to the commissioners for a license therefor and shall pay an annual fee of \$25 for such license. Each such school shall be conducted in accordance with rules and regulations prescribed by said commissioners.

Sec. 16. Any person who shall violate any provision of this act, for the violation of which no other penalty is provided, shall be fined not more than \$100 and, upon a second conviction, shall be fined not more than \$100 or imprisoned not more than 60 days, or both.

Sec. 17. All rules and regulations for carrying out the provisions of this act shall be approved by the State board of health before such rules and regulations shall become effective.

SEC. 18. Chapter 216 of the public acts of 1925 is repealed.

⁷ Supplement 59 to Public Health Reports, p. 70.

DELAWARE

Milk Receptacles—Use and Sterilization. (Ch. 210, Act April 12, 1927)

[This act amends section 3594, revised code, 1915, to read as follows:] 3594. Sec. 159. Use of regulated; violation a misdemeanor; penalty.-No person, other than the owner or owners thereof, shall hereafter use milk bottles, milk cans, or any other receptacles used in the sale and delivery of milk, cream, and other dairy products without the express permission of the owners of the same.

Glass bottles used in the sale and delivery of milk, cream, and other dairy products shall be sterilized before each and every filling, and shall not be used by the owner or owners thereof, or by any other person or persons, for any other purpose whatsoever.

Whoever shall violate any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$10 for each offense.

The municipal court of the city of Wilmington shall have concurrent jurisdiction of all violations of this section committed within the corporate limits of the city of Wilmington.

Food—Keeping in Cold Storage. (Ch. 51, Act April 19, 1927)

[This act strikes out sections 774 and 777, revised code, 1915, and inserts new sections 774 and 777, to read as follows:]

774. Sec. 39. Storage longer than 12 months forbidden, except upon consent of board of health.—No person or persons, corporation or corporations engaged in the business of cold-storage warehousemen or refrigerating within the State of Delaware shall keep in storage for preservation or otherwise any kind of food or any article used for food for a longer period than 12 calendar months without the consent granted as hereinafter provided by the board of health having jurisdiction, or its duly authorized agents or officers, or except as hereinafter otherwise provided.

777. Sec. 42. Food kept longer than 12 months; report of; delivery without health-board certificate forbidden; time extended; time limit.—In the event of any food or any article used for food being kept or maintained in refrigerating or cold-storage places for a longer period than 12 months, report of such fact shall be filed by the person or persons, corporation or corporations operating such cold-storage or refrigerating place with the board of health having jurisdiction as aforesaid upon blanks so provided by said board of health upon application, and no such food or article used for food shall, after the expiration of said period of 12 months, be delivered to any person or persons, corporation or corporations without a certificate from the board of health having jurisdiction as aforesaid first had and obtained authorizing such delivery. Power is given to said board of health, or its proper agents, to extend the time when any particular foodstuff or article used for food may be kept, maintained, or preserved in such place or places.

Nonalcoholic Beverages-License for Manufacture and Sale-Sanitary Requirements Governing Manufacture-Use of Containers Belonging to Other Persons-Labeling. (Ch. 52, Act March 22, 1927)

[Section 1 strikes out section 780a (as added by ch. 55, laws of 1923, and amended by ch. 63,2 laws of 1925), revised code, 1915, and inserts a new section 780a, to read as follows:]

Supplement 49 to Public Health Reports, p. 106.
 Supplement 59 to Public Health Reports, p. 73.

780a. Sec. 45a. No person, firm, or corporation shall manufacture for sale in bottles or jugs any soft drink or other nonalcoholic beverage (except apple cider) within this State without having first applied for and having received a license from the State board of health. Said application shall contain the name of the applicant, his address, and the location of his manufacturing plant or plants, the name of the beverage or beverages manufactured, and such other pertinent information as shall be prescribed by the State board of health in pursuance of the provisions of this act. The application shall be accompanied by a fee of \$25, upon receipt of which application and fee the State board of health shall issue to said applicant a license for the manufacture of the beverages mentioned in this section. Said license shall be for the fiscal year ending June 30, 1928, unless sooner revoked, as herein provided, and shall be renewed annually thereafter. A license may be denied at the time of application if the establishment of the applicant is known to be in an insanitary condition or if the water supply is known to be dangerously polluted. No soft drink or other nonalcoholic beverage (except apple cider) not manufactured in this State shall be sold or offered for sale in the State of Delaware, unless same is first inspected and registered with the State board of health, and a license fee of \$50 shall be paid by said manufacturer, his agent or dealer, to the State board of health, same to be renewed annually.

[Section 2 strikes out paragraph (e) of section 780c (as added by ch. 55, laws of 1923), revised code, 1915, and inserts a new paragraph, to read as follows:]

(e) All bottling establishments shall be equipped with adequate and sufficient machinery for the automatic soaking, cleaning, and rinsing of bottles, All bottles prior to refilling shall be cleansed and sterilized by soaking in a solution of not less than $3\frac{1}{2}$ per cent caustic alkali, for a period of not less than three minutes, and at a temperature not lower than 120° F., to be followed by spraying and rinsing with water from the same source as used in filling, where practicable, or in any case by water of an accepted degree of purity and safety. Bottles too large for the machine shall be washed in the hot alkali solution and rinsed until free from any trace of alkali before refilling. All capping machines shall be provided with automatic crown feed. The reuse of caps, crowns, or corks is prohibited. Such caps, crowns, and corks shall be at all times so kept or stored as to be shie ded from infection and contamination. All containers for the preparation or storage of sirups, fruit juices, extracts, and flavors used in the manufacture of beverages shall be of glass, glazed-lined metal, or stoneware; provided that this shall not apply to those preparations not removed from the manufacturer's shipping package. In no case shall receptacles of galvanized iron be used for liquids to be bottled. Containers shall be covered at all times. The construction of pumps and piping used for conveying sirups, fruit juices, and similar liquids shall be such as to permit of ready disconnection and cleaning. Linings of lead or zinc are prohibited. Proper receptacles shall be provided for solid wastes. Floors, walls, ceilings, doors, windows, window ledges, etc., shall be kept clean and free from dust. All fixtures, machinery, utensils, and piping shall be maintained in cleanly condition, using for this purpose hot water, live steam, and such chemical agents as may be approved by the State board of health.

[Section 3 amends paragraph (g) of section 780c (as added by chapter 55,

laws of 1923), revised code, 1915, to read as follows:]

(g) The side walls and ceilings in that part of bottling establishments in which the beverages or sirups are manufactured shall be kept oil painted or well lime-washed, and all interior woodwork in every bottling establishment shall be kept washed and cleansed with soap and water, and every building, room, basement, or ceilar occupied for use in the preparation, manufacture, packing, storage, sale, or distribution of drink products shall have an impermeable floor made of cement or tile, laid in cement, brick, or other suitable nonabsorbent material which can be flushed and washed clean with water. It shall be considered a violation of this act for any person, firm, or corporation to fill or refill any glass, jar, bottle, or any other container with soda water, mineral water, or any other drink or fluid, with attempt to seal or vend such water, drink, or fluid which bears the label of any other person, firm, or corporation, or which has blown in such glass, bottle, or other container the name of any person, firm, or corporation without consent of such person, firm, or corporation. [Section 4 adds the following new section to the revised code, 1915:]

7801. Sec. 451. Any drink product as defined above which contains artificial color or flavor, such facts shall be put on the cap or label. Such cap or label shall also bear the name and address of the bottler or manufacturer of such product except that where the name of the bottler or manufacturer of such product has been blown in the bottle or other container shall be exempt from putting the name and address of the bottler or manufacturer of such product on the cap itself.

Binders Containing Returns of Births, Deaths, and Marriages—Delivery to State Board of Health by County Recorders. (Ch. 55, Act April 20, 1927)

Section 1. The recorder of each county shall forthwith, after the approval of this act, deliver to the State board of health the loose-leaf binders for births, deaths, and marriages which contains [sic] the returns of births, deaths, and marriages, and shall take from the State board of health a receipt therefor.

Dangerous Caustic or Corrosive Substances—Labeling and Sale—Approval and Registration of Labels. (Ch. 54, Act February 23, 1927)

Section 1. That in this act, unless the context or subject matter otherwise requires—

A. The term "dangerous caustic or corrosive substance" means each and all

of the acids, alkalis, and substances named below:

(a) Hydrochloric acid and any preparation containing free or chemically unneutralized sulphuric acid (H₂SO₄) in a concentration of 10 per cent or more; (b) sulphuric acid and any preparation containing free or chemically unneutralized sulphuric acid, (H2SO4) in a concentration of 10 per cent or more; (c) nitric acid or any preparation containing free or chemically unneutralized nitric acid (HNO2) in a concentration of 10 per cent or more; (d) carbolic acid, (C.H.OH), otherwise known as phenol, and any preparation containing carbolic acid in a concentration of 5 per cent or more; (e) oxalic acid and any preparation containing free or chemically unneutralized oxalic acid $(H_2C_2O_4)$ in a concentration of 10 per cent or more; (f) any salt of oxalic acid and any preparation containing any such salt in a concentration of 10 per cent or more; (g) acetic acid or any preparation containing free or chemically unneutralized acetic acid $(HC_2H_3O_2)$ in a concentration of 20 per cent or more: (h) hypochlorous acid, either free or combined, and any preparation containing the same in a concentration so as to yield 10 per cent or more by weight of available chlorin, excluding calx chlorinata, bleaching powder, and chloride of lime; (i) potassium hydroxide and any preparation containing free or chemically unneutralized potassium hydroxide (KOH), including caustic potash and Vienna paste, in a concentration of 10 per cent or more (j) sodium hydroxide and any preparation containing free or chemically unneutralized sodium hydroxide (NaOH), including caustic soda and lye, in a concentration of 10 per cent or more; (k) silver nitrate, some times known as lunar caustic, and any preparation containing silver nitrate (AgNO₅), in a concentration of 5 per cent or more; and (1) ammonia water and any preparation yielding free or chemically uncombined ammonia (NH3), including ammonium hydroxide and "hartshorn," in a concentration of 5 per cent or more.

B. The term "misbranded parcel, package, or container" means a retail parcel, package, or container of any dangerous caustic or corrosive substance for household use, not bearing a conspicuous, easily legible label or sticker, containing (a) the name of the article; (b) the name and place of business of the manufacturer, packer, seller, or distributor; (c) the word "Poison," running parallel with the main body of reading matter on said label or sticker, on a clear, plain background of a distinctly contrasting color, in uncondensed gothic capital letters, the letters to be not less than 24-point size, unless there is on said label or sticker no other type so large, in which event the type shall be not smaller than the largest type on the label or sticker; and (d) directions for treatment in case of accidental personal injury by the dangerous caustic or

corrosive substance.

Sec. 2. It shall be unlawful for any person to sell, barter, or exchange or receive, hold, pack, display, or offer for sale, barter or exchange, in the State of Delaware, any dangerous caustic or corrosive substance in a misbranded parcel, package, or container, said parcel, package, or container being designed for household use: *Provided*, That household products for cleaning and washing

purposes, subject to this act and labeled in accordance therewith, may be sold, offered for sale, held for sale, and distributed in this State by any dealer, wholesale or retail.

SEC. 3. Any person violating the provisions of this act shall upon conviction thereof be punished by a fine of not more than \$200, or by imprisonment for not more than 90 days, or by both such fine and imprisonment, in the discretion

of the court.

SEC. 4. The State board of health be and it is hereby authorized and empowered to approve and register such brands and labels intended for use under the provisions of this act as may be submitted to it for that purpose and as may in its judgment conform to the requirements of this statute: *Provided, however*, That in any prosecution under this act the fact that any brand or label involved in said prosecution has not been submitted to said State board of health for approval, or if submitted, has not been approved by it, shall be immaterial.

SEC. 5. This act may be cited as the "Delaware caustic alkali or acid act of

1927."

SEC. 6. This act shall take effect six months after the date of its enactment and approval of the governor.

57811-30-13

DISTRICT OF COLUMBIA

Dogs—Muzzling During Certain Months. (Order of Commissioners, May 13, 1927)

Ordered.—That under the provisions of section 7 of the act of Congress approved June 19, 1878, entitled "An act to create a revenue in the District of Columbia by levying a tax upon all dogs therein, to make such dogs personal property, and for other purposes," the commissioners hereby give notice that every dog in said District shall, for a period of four months from and after June 1, 1927, wear a good substantial muzzle, securely put on, so as to prevent it from biting or snapping; and any dog going at large during said period without such muzzle shall be taken up by the poundmaster and impounded; provided that this order shall not apply to dogs held in leash by their owners.

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Poliomyelitis—Requirements Governing Admission to School of Certain Children to Prevent Spread of. (Reg. Bd. of H., November 11, 1927)

Owing to the greatly increased number of cases of infantile paralysis in a number of States and wishing to protect the children not only of our own State but also those who spend only a part of the year in the State, no children coming from without the State shall be admitted to the schools until they have been in the State for at least two weeks and a certificate of freedom from disease signed by the city health officer or city physician, in cities where there is such official, and for those localities outside such jurisdiction, by a duly qualified physician, must be presented.

Following a case of infantile paralysis, a certificate is required of the patient from either a city or county health officer or from a representative of the State

board of health before admittance to school.

State Tuberculosis Hospital—Establishment, Location, and Operation—Admission and Maintenance of Patients—Appointment, Powers, and Duties of State Tuberculosis Board. (Ch. 12284, Act June 8, 1927)

Section 1. There shall be established within the State of Florida a hospital to be designated and known as "State Tuberculosis Sanatorium" for tubercu-

losis patients.

SEC. 2. There is hereby created a State tuberculosis board, which shall consist of three citizens of the State of Florida, who shall be appointed by the governor, and their terms of office shall be for four years and until their successors are appointed and qualified, except that of the first board appointed under this act; one member thereof shall be appointed for a term of two years and two members thereof shall be appointed for a term of four years, and thereafter every such appointment shall be for the term of four years, except in cases of an appointment to fill a vacancy, in which case the appointment shall be for the unexpired term. The governor shall have the power to remove any member of such board for cause and shall fill all vacancies that may at any time occur therein.

SEC. 3. That immediately upon the passage of this act, the governor shall select three of the most capable and efficient citizens having the qualifications prescribed herein and appoint the same as herein provided to constitute such State tuberculosis board, whose duty it shall be to immediately after such appointment assemble at the capitol and there organize by selecting one of their members as chairman. The chairman shall be elected from the long-term members and the chairmanship shall exist during his term of office. The board shall elect a chairman as often as that office shall become vacant. The members of said board shall be paid only their actual expenses while in the performance of their duty and in traveling to and from or upon the same, the accounts of which shall be paid quarterly by the State treasurer upon itemized vouchers duly approved by the chairman of said board and the comptroller, as is herein provided for the disbursement of funds.

SEC. 4. As soon as practicable after the appointment and organization of the State tuberculosis board, such board shall make or cause to be made a survey of the State of Florida with a view to determine the most suitable and advantageous location for the erection of said sanatorium; that after determining said location and acquiring the same the board shall then determine upon the type and size of sanatorium to be erected thereupon; that the board in making said survey and determining upon said suitable site and the type and the size of the sanatorium to be erected thereupon shall procure the best expert advice obtain-

able both within and without the State of Florida.

Sec. 5. The said State tuberculosis sanatorium when erected shall be operated by, under the direction, and control of the State tuberculosis board and under such rules and regulations as it may from time to time prescribe therefor.

Sec. 6. That patients shall be admitted to said sanatorium under such rules and regulations as the board provided by this act shall adopt and promulgate from time to time therefor. That the necessary expenses of the various patients received in said sanatorium from the various counties in this State shall be paid by the counties from which said patients come: Provided, however, That patients financially able to pay their own hospital charges in whole or in part may be admitted to the sanatorium under such rules and regulations as may be prescribed by the board therefor, but the expenses of said patients shall be paid to the hospital by the counties from which such patients come and such ecounties may be reimbursed such expenses of said patients by collecting such expenses in whole or in part from such patients.

Sec. 7. That the sum of \$200,000, payable as follows: \$100,000 on July 1, 1927, and \$100,000 on July 1, 1928, or so much thereof as may be necessary, is hereby appropriated for the establishment, maintenance, and support of said

institution hereby created and maintained by this act.

SEC. 8. The treasurer of the State of Florida shall receive and pay out all moneys and funds provided for in this act, or which shall come to the hands or control of the State tuberculosis board in any way or manner for the purposes hereof and shall keep all of said moneys so received in a separate fund, of which he shall render an annual report to the Governor of the State of Florida, showing in detail the amounts received and from what funds and sources, and expenditures when paid and to whom; and no moneys shall be expended for or on behalf of said institution or any department thereof except upon a written voucher drawn by the State tuberculosis board in duplicate stating the nature of said expenditures, the person to whom the same shall be made payable, and which voucher shall be submitted to the comptroller of the State of Florida and audited and approved by him, and upon such approval the comptroller shall draw his warrant upon the State treasury for the payment thereof, transmitting duplicate of said vouchers approved by him to the treasurer, and shall file the other duplicate of said vouchers approved by him in his office. No voucher shall be issued or drawn by the State tuberculosis board for the payment of any moneys for the purchase of real property, except the same be approved by said board in regular session and countersigned by the chairman and secretary thereof; for the erection of a building or buildings except the same be approved by the supervising architect and countersigned by the chairman; for the operation expenses of the hospital except the same be approved by the superintendent of the sanatorium and countersigned by the chairman of the board.

SEC. 9. The State tuberculosis board shall be a body corporate and shall have a corporate seal to be selected by it at its first meeting; shall select a secretary and remove him at will; have and employ all necessary clerks, servants, and employees; shall have power to contract and be contracted with; sue and be sued; plead and be impleaded in all courts of law and equity; to receive donations and bequests; to make purchases of lands and tenements, and to contract for the sale and disposal of the same, but the title to all such donations, bequests and/or property, however acquired, shall be vested in the State tuberculosis board, and shall only be transferred and conveyed by it, and shall have and possess all of the powers of a body corporate for all the purposes created by or that may exist under the provisions of this act, or any act or acts amenda-

tory thereof.

Maternity Homes and Hospitals, Boarding Homes for Infants, and Agencies Caring for or Placing Out Certain Children—License—Visitation. (Ch. 12288, Act May 31, 1927)

SEC. 4. Said board [State board of public welfare] shall pass annually on the fitness of every semipublic or private agency engaged in receiving and caring for afflicted, dependent, or neglected, or delinquent children and including the maternity homes and boarding houses for infants under 3 years of age, and agencies placing children out in private homes; and if a question of their fitness is raised by said board, the matter may be determined by the circuit court sitting in chancery. Nothing in this act shall be taken to apply to institutions under the control of the board of commissioners of State institutions.

Sec. 5. No agency engaged in the care of defective, dependent, neglected, or delinquent children, or in the placing out of such, and no maternity homes or hospitals, or boarding homes for infants under 3 years of age, shall operate

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after the 1st of January, 1928, without a license from the State board of public welfare, said license to be renewed annually at the discretion of the board; and any such license may be revoked for cause by said board on due notice to such licensee after affording an opportunity to be heard. In case a license is refused or revoked, appeal may be taken to the circuit court of the circuit in

which the institution or agency is located.

SEC. 6. Application for license shall be made on blanks provided by the State board of public welfare and shall contain such information as required by the board. The application shall be approved by the State board of health after inspection of conditions pertaining to health and sanitation, and by some member or agent of the State board of public welfare after inspection as to conditions pertaining to the mental, social, and moral welfare of those cared for or placed out. Whenever a license is granted a report of same shall be made to he State board of health and also to the juvenile court (or county judge) of the county where the licensee resides.

SEC. 10. Every agency licensed under this act shall be visited by a member or agent of the State board of public welfare at least once in six months and a report of findings and recommendations filed at the office of the board.

State Supervisor of Physical and Health Education—Position Created— Appointment, Duties, and Compensation. (Ch. 12324, Act June 6, 1927)

Section 1. That there is hereby created the position of State supervisor of physical and health education, which position shall be filled by employment of the State board of education upon nomination of the State superintendent of

public instructions [sic].

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SEC. 2. Such supervisor of physical and health education shall be a well-trained and experienced person whose duties shall be to carry out the provisions of the regulations of the State board of education concerning physical and health education in the public schools of Florida; to serve as advisor and to give practical aid to county and local boards of education, supervisors, principals, teachers, teacher-training institutions, and all school authorities in all laws and regulations which have been or may hereafter be enacted in pertaining to physical and health education in the public schools of the State; to endeavor to devise ways and means of coordinating the work of all agencies interested in the physical and health education of the children of the State. The compensation for such supervisor shall not exceed \$4,000 per annum plus traveling expenses of \$1,500 and shall be payable out of the State treasury from any funds not otherwise appropriated.

SEC. 3. All laws or parts of laws in conflict with the provisions of this act are

hereby repealed.

SEC. 4. This act shall become effective upon July 1, 1927.

Eggs-Classification, Labeling, and Sale. (Ch. 12013, Act of 1927)

SECTION 1. That within the intent and purpose of this act eggs are classified as: (a) Cold-storage eggs, construed to mean eggs which have been in cold storage; (b) shipped eggs, construed to mean eggs shipped into the State of Florida which have not been in cold storage; (c) fresh Florida eggs, construed to mean eggs produced in Florida which are neither partly nor wholly decom-

posed and which have not been in cold storage or processed.

SEC. 2. That from and after the passage of this act, it shall be unlawful for any person, firm, association, or corporation within this State: (a) To offer for sale or sell at wholesale or retail any case of eggs without clearly imprinting thereon, or securely pasting thereto a label not smaller than 7 inches by 7 inches, on which shall be plainly and legibly printed, the name and address of the packer of said eggs and the classification to which same belongs as hereinbefore designated: Provided, This act shall not apply to any case of eggs not divested of its interstate character; (b) or to offer for sale or sell any pasteboard or other carton of eggs without first imprinting or stamping thereon in letters not smaller than three-eighths of an inch in height the classification as above set forth in which the eggs contained therein belong, and also the packer's name and address in smaller type; (c) or to offer to sell or sell eggs

in bulk, (not in cartons), from any open case, box, or other receptacle holding said eggs in bulk without displaying conspicuously on every such open case, box, or other receptacle a placard of heavy cardboard not smaller than 8 inches by 11 inches in size on which shall be legibly and plainly printed in letters not smaller than 1 inch in height wording showing whether the said eggs offered for sale or sold are "cold-storage eggs," "shipped eggs," or "fresh Florida eggs"; (d) or to offer eggs for sale in any newspaper advertisement or circular without plainly designating in such newspaper or circular in which of the above-named classifications the eggs being offered for sale properly belong.

SEC. 3. Any person, firm, association, or corporation violating section 2 of this act is guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than \$50 nor more than \$200, or to imprisonment for

not more than 90 days in the county jail.

Hotels, Rooming Houses, Apartment Houses, Tenement Houses, and Eating Places—Plumbing, Lighting, Heating, Ventilation, and Screening. (Ch. 12053, Act June 6, 1927)

[This act, among other things, amends sections 2132, 2152, and 5641, Revised

General Statutes, 1920, to read as follows:]
SEC. 2132. Plumbing, lighting, heating, and ventilation.—Every hotel, rooming house, apartment house, tenement house, restaurant, lunch or sandwich stand or counter in this State, shall be properly plumbed, lighted, heated, and ventilated, and shall be conducted in every department with strict regard to health, comfort, and safety of the guests or tenants: Provided, That such proper lighting shall be construed to apply to both daylight and illumination, and that such proper plumbing shall be construed to mean that all plumbing and drainage shall be constructed and plumbed according to approved sanitary principles, and that such proper ventilation shall be construed to mean at least one door and one double-hung window in each sleeping room, also a transom as wide as the door leading into the hallway: *Provided*, That apartment houses properly constructed as such shall not be required to install transoms.

SEC. 2152. Screens.—All hotels, rooming houses, apartment houses, tenement houses and restaurants, lunch or sandwich stands or counters shall screen all outside doors, windows, and other openings with wire netting not less than 16 meshes to the inch, except where such doors or other openings are protected by electric fans so installed that they will prevent the ingress of insects.

Sec. 5641. Violation of any and all laws, rules, and regulations relating to inspection, construction, and operation of all hotels, rooming houses, apartment houses, tenement houses, restaurants, lunch and sandwich stands or counters, or other eating places, any owner, manager, agent, or person in charge of a hotel, rooming house, apartment house, tenement house, restaurant, lunch or sandwich stand or counter who shall obstruct or hinder any hotel inspector in the proper discharge of his duties imposed by law or who shall fail or neglect or refuse to pay the license fee for inspection required by law, or who shall fail or refuse to perform or carry out any duty imposed upon him by law, or the rules and regulations authorized thereunder, shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined not less than \$5 nor more than \$50, or shall be imprisoned in the county jail for not less than 10 days nor more than 30 days, or both. And every day that such a hotel, rooming house, apartment house, tenement house, restaurant, lunch or sandwich stand or counter shall be operated in violation of law or rules and regulations authorized thereunder shall constitute a separate offense.

Laws and Regulations Relating to the Practice of Pharmacy and the Operation of Drug Stores—Enforcement by State Board of Health. Drug Stores—Annnal Registration with State Board of Health—Inspection. (Ch. 11859, Act June 4, 1927)

SECTION 1. That from and after the passage of this act and upon its becoming a law, the enforcement of each and every the several provisions of the laws of this State governing and regulating the practice of pharmacy and/or the operation, and/or management, of drug stores in this State as now in force or as may be hereafter enacted, shall be vested in and shall be under the direct and immediate supervision of the State board of health: Provided, however,

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That nothing herein shall be constructed [sic] or deemed to apply to the examination and registration of applicants before the Board of Pharmacy of the State of Florida, or to such rules and regulations as the said board of pharmacy may now or hereafter promulgate relating to the practice of pharmacy and/or the operation and/or management of drug stores in this State.

SEC. 2. That on the first Monday of July of each and every year, commencing with the first Monday in July, 1928, all owners and/or proprietors of drug stores in the State of Florida, shall annually register their said drug stores with the State board of health, on a printed or typewritten form, or forms, showing the name of the drug store or pharmacy to be registered; the name and address of the owner, or owners, and/or the manager thereof, if there be one; and the names of all registered pharmacists employed in such pharmacy or drug store, together with the certificate date and number of such registered pharmacist; a fee of \$10 shall be charged by and paid to the State board of health by the owner, or owners, and/or proprietor of each such pharmacy and/or drug store, upon each annual registration of such pharmacy and/or drug store, said fee so charged to be used by the State board of health to defray expenses necessarily incurred by said board of health in the enforcement of the provisions of this act shall not apply to stores or places of business where patent and proprietary medicines or common household remedies are sold

in the original package.

SEC. 3. That the State board of health, in order to enforce the provisions of this act and the provisions of all other laws of the State of Florida, and/or such rules and regulations of the Board of Pharmacy of the State of Florida as said board may heretofore or hereafter promulgate relating to the regulation of the practice of pharmacy and/or the operation and/or management of pharmacies and/or drug stores in the State of Florida, shall be, and it is hereby, authorized and empowered to appoint one or more registered pharmacists in the State of Florida, who shall be known as drug inspectors of the State board of health, who shall be under the jurisdiction and immediate supervision and control of the State board of health, at and for a yearly salary or salaries to be fixed by the State board of health, whose duty it shall be to see to the strict and proper compliance with the provisions of this act and the provisions of all other laws of the State of Florida, regulating the practice of pharmacy and/or each and every the operation and/or management of pharmacies and/or drug stores in the State of Florida, by making regular and periodical and unannounced inspections of all pharmacies and/or drug stores in the State of Florida, and it shall be the further duty of the drug inspectors of the State of Florida to promptly and diligently report to the State board of health all violations of the provisions of this act or of any other law now or hereafter enacted regulating and/or governing the practice of pharmacy and/or the operation and/or management of pharmacies and/or drug stores in the State of Florida.

SEC. 4. That anyone charged with a violation of the provisions of this act, or the provisions of any other law, whether now or hereafter enacted regulating and/or governing the practice of pharmacy and/or the operation and/or management of pharmacies and/or drug stores in this State shall, upon conviction, for each such violation, be fined a sum not exceeding the sum of \$1,000,

or be imprisoned for a period not to exceed six months, or both.

Water-Supply, Sewerage, Refuse-Disposal, and Sewage-Disposal Systems—Supervision and Control by State Board of Health—Construction, Alteration, and Extension—Correction of Improper Conditions in. (Ch. 12289, Act June 6, 1927)

Section 1. The State board of health or their duly accredited representative shall have general supervision and control over all water-supply, sewerage, refuse, and sewage-disposal systems in the State, in so far as their sanitary and physical conditions affect the public health: *Provided, however*, This act

shall not apply in cities having local health authorities.

SEC. 2. After the passage of this act no county, municipality, person, persons, firm, corporation, company, public or private institution, or community of more than 25 inhabitants shall install a system of water supply, sewerage, refuse, or sewerage disposal or materially alter or extend any existing system until complete plans and specifications for the installation, alternations, or extensions, together with such other information as the State board of health may require have been submitted and approved by the said board. The State board of health

shall further be empowered to make and enforce such specific rules and regulations regarding the submission of plans for approval and record as it may deem

reasonable and proper to fulfill the requirements of this act.

Sec. 3. The State board of health shall consult with and advise the authorities of counties, municipalities, person, persons, firm, corporation, company, public or private institutions, or communities of less [more?] than 25 inhabitants, as to the most appropriate source of water supply, and the best method of assuring its purity, or as to the best method of disposal of drainage, sewage, or refuse, with reference to the existing and future needs of all communities or persons which may be affected thereby. It shall also consult with and advise corporations, companies, and individuals engaged or intending to engage in any manufacturing or other business whose sewage, wastes, or waste product may tend to pollute the waters of the State. It may also conduct experiments relating to the purification of water and the treatment of sewage, waste, or refuse.

SEC. 4. When the State board of health or their duly accredited representative finds, upon investigation, that any water-supply, sewerage, waste, or refuse-disposal system is in any way a menace to health or is creating a nuisance the State board of health or their duly accredited representative shall be empowered to issue an order requiring owner of the system to make such alternations

as may be necessary to correct improper conditions.

Sec. 5. Any county, municipality, person, persons, firm, corporation, company, public or private institutions, or community of more than 25 inhabitants who shall violate any of the provisions of this act or any of the rules and regulations provided in accord with this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$200.

Marriages and Divorces-Registration. (Ch. 11869, Act June 6, 1927)

Section 1. That upon the issuance of each and every marriage license issued by any county judge in the State of Florida, such county judge shall in addition to the fee allowed by section 3933, General Revised Statutes of Florida,

collect and receive an additional fee of \$1,

SEC. 2. That upon the return of each marriage license to the issuing county judge as provided by section 3933, General Revised Statutes of the State of Florida, so issued under section 3933, General Revised Statutes of the State of Florida, the issuing county judge shall forthwith record the same, and shall, on or before the 5th day of each month, transmit all the original licenses with indorsements thereon, received by him during the preceding calendar month, to the bureau of vital statistics: Provided, That as to any marriage licenses issued and not returned to the issuing county judge and/or any marriage licenses returned to the issuing county judge and not recorded by him so as to be transmitted to the bureau of vital statistics, as in and by this section provided, such issuing county judge shall report the same to the said bureau at the time of transmitting the recorded licenses on the forms to be prescribed and furnished by said bureau: Provided further, That if no marriage licenses are issued and/or returned to the issuing county judge to be transmitted or reported to said bureau, as by this section provided, said issuing county judge shall report such fact to said bureau upon forms prescribed and furnished by it.

SEC. 3. That on or before the 5th day of each month the several county judges of the State of Florida shall transmit to the bureau of vital statistics 75 cents of the each \$1 collected by him under the provisions of section 1 of this act during the preceding calendar month, retaining the remaining 25 cents of the

each \$1 so collected as his compensation.

SEC. 4. That on or before the 5th day of each month, the several clerks of the circuit courts of the State of Florida shall transmit to the bureau of vital statistics, on forms prescribed and furnished by it, a record of each and every decree of divorce granted by said courts during the preceding calendar month, giving names of parties and such other data as required by such forms, 25 cents, the cost of such reports, to be taxed as a part of the cost in the cause in which the decree is granted, the same to be collected by said clerk as such.

SEC. 5. That the records of marriages and divorces obtained under the provisions of this act shall be compiled, kept, and preserved as are other vital

statistics under the provisions of chapter 6892, Laws of Florida.

SEC. 6. That a certified copy of any marriage license on file with the bureau of vital statistics shall be furnished upon payment to said bureau of a fee

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of 50 cents for each certified copy. That any certified copy so furnished by said bureau, signed by the registrar of the bureau of vital statistics, under the seal of the State board of health, shall be received as evidence in any of the courts of this State.

SEC. 7. That all forms used in the issuance of marriage licenses in this State

shall be prescribed and furnished by the bureau of vital statistics.

Sec. 8. That a true and correct account of all sums transmitted to the bureau of vital statistics by the several county judges of the State of Florida, under the provisions of section 3 of this act, as well as of all sums received by said bureau under the provisions of section 5 [6?] of this act, shall be kept by said bureau, and said bureau shall each month transmit such funds so received by it to the State treasurer; that the State treasurer shall place said funds so transmitted to him to the credit of the State board of health fund, for the use of the bureau of vital statistics.

Tourist Camps—Permit—Sanitary Requirements—Reports of Sickness in— Posting of Law and Regulations. (Ch. 12419, Act June 6, 1927)

Section 1. A tourist camp is hereby defined and declared to be as any place where three or more tents, tent houses, or camp cottages are located or set up within a distance of 50 feet of each other, and maintained by any person, firm, or corporation for use most generally by transients. Nothing in this act shall

apply to municipally owned tourist camps or colonies.

Sec. 2. No person, firm, or corporation shall establish or maintain any tourist camp in this State without first obtaining a permit therefor from the State board of health, and the State board of health shall have the power to revoke any permit issued to any person, firm, or corporation operating or maintaining a tourist camp upon the failure of such person, firm, or corporation to comply with the provisions of this act or the rules and regulations made and promulgated by the State board of health. Any person or firm, and in case of a corporation, the officers thereof, who shall maintain a tourist camp without first obtaining such permit, or shall maintain the same after the revocation thereof, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$300, or imprisonment not exceeding three months.

Sec. 3. Application for such permit shall be made in writing to the State board of health. The application shall state the location of the existing or proposed camp, type of camp, the approximate number of persons to be maintained, the probable duration of use, the proposed water supply for such camp,

and the proposed method of sewerage and garbage disposal.

SEC. 4. That if the State health officer is satisfied, after causing an inspection to be made, that the existing or proposed tourist camp will not be a source of danger to the health of others or to its occupants, he shall issue in the name of the State board of health the necessary permit in writing on a form to be prescribed by the State board of health.

SEC. 5. The State board of health shall have general supervision of the health and sanitary conditions of all tourist camps located in this State, and shall have the power to make, promulgate, and enforce such rules and regulations as may

be necessary for the preservation of the same.

Sec. 6. Suitable garbage containers of a kind to be approved by the State board of health shall be provided at convenient points in all tourist camps for the disposal of garbage and refuse, and all garbage and refuse shall be deposited therein. Any occupant or tenant of a tourist camp who throws garbage or refuse of any kind upon the ground in such camp shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not exceeding \$25, or

by imprisonment not exceeding 10 days.

SEC. 7. That no tent, tent house, or camp cottage shall be set up, built, or erected in any tourist camp at a distance nearer than 10 feet to any other tent, tent house, or camp cottage. And anyone operating or maintaining a tourist camp violating the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined in a sum not exceeding \$10, or by imprisonment not exceeding 10 days; that the offense hereby defined shall be a continuing one, and anyone violating the provisions thereof shall be prosecuted from time to time and until the provisions of this section shall have been complied with.

Sec. 8. That cats, dogs, or other animals shall not be permitted to run at large in any tourist camp, but shall at all times be securely leashed, and any person owning or having in his possession and under his control any

dog, cat, or other animal who shall permit the same to run at large in sucl. camp shall be guilty of a misdemeanor and upon conviction shall be punished by a fine not exceeding \$10 or imprisonment not exceeding 10 days.

SEC. 9. It shall be the duty of the occupant or tenant of any tent, tent house, or camp cottage in any tourist camp to immediately report to the person in charge of such camp or the local or State health authorities every case of sickness in his or her tent, tent house, or camp cottage; and any person who shall fail to make a report of such sickness a aforesaid shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding \$25 or by imprisonment not exceeding 30 days.

Sec. 11. * * * for failure to observe any provision of this act, or the rules and regulations prescribed by the State board of health, the owner, operator, or keeper thereof [tourist camp] may instantly eject such occupant or occupants therefrom; * * *.

SEC. 12. That it shall be the duty of the State board of health to post at one or more places in every tourist camp in this State a copy of the provisions contained in this act and such other rules and regulations that the State board of health may from time to time make and promulgate relating to the health and sanitation in such camps.

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Sec. 13. In case any section or sections of this act are declared unconstitutional, the same shall not invalidate any other section herein contained.

Refuse and Rubbish—Depositing Along Rights of Way of Public Highways Unlawful. (Ch. 12214, Act June 6, 1927)

Section 1. That it shall be unlawful for any person, company, or corporation to dump or cause to be dumped, or place or cause to be placed, any refuse or rubbish of any kind whatsoever along the rights of way of the public highways and roads of the State of Florida.

highways and roads of the State of Florida.

SEC. 2. That any person found guilty of the violation of section 1 of this act shall be fined not more than \$100 or imprisoned not more than 30 days, or both such fine and imprisonment, in the discretion of the court.

Advertisements—Untrue, Deceptive, or Misleading, Unlawful. (Ch. 11827. Act June 6, 1927)

Section 1. That after the passage of this act it shall be unlawful for any person, firm, corporation, or association with intent to sell or in anywise dispose of merchandise, securities, service, or anything offered by such person, firm, corporation, or association, directly or indirectly, to the public, for sale or distribution or with intent to increase the consumption thereof, or with intent to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or any interest therein, to knowingly or intentionally make, publish, disseminate, circulate, or place before the public, or to cause, directly or indirectly, to be made, published, disseminated, or circulated or placed before the public in this State in a newspaper or other publication or in the form of a book, notice, handbill, poster, bill circular, pamphlet, or letter or in any other way, an advertisement of any sort regarding such merchandise, securities, service, or anything so offered to the public which advertisement contains any assertion, representation, or statement which is untrue, deceptive, or misleading.

SEC. 2. That any person, firm, corporation, or association found guilty of the violation of section 1 hereof shall be deemed guilty of a misdemeanor and shall be punished by fine not exceeding \$200 or imprisonment not exceeding 90 days, or both, at the discretion of the court.

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Cattle—Eradication of Tuberculosis in—Tuberculin Testing—Appraisal and Destruction When Tuberculous—Indemnity for Animals Destroyed Because Tuberculous. Tuberculin—Possession, Sale, and Use. (No. 314, Act August 20, 1927)

Section 1. That from and after the passage of this act it shall be the duty of the State veterinarian to eradicate tuberculosis of domestic animals within the State. To enable the State veterinarian to eradicate bovine tuberculosis effectively, and to aid him in establishing within the State a modified accredited tuberculosis-free area, in conformity with rules and regulations promulgated by the United States Livestock Sanitary Association and adopted by the Bureau of Animal Industry, United States Department of Agriculture, the county commissioners of any county in which the State and Federal Governments jointly engage in a tuberculosis eradication campaign may appropriate for aiding in said work such sums as the county commissioners or board of roads and revenues may deem adequate and necessary. The State veterinarian shall have full and complete authority and responsibility in all livestock sanitary control work. The State veterinarian, or his duly authorized agent, is hereby empowered to enter upon any premises, barn, lot, or any other place where cattle are kept, for the purpose of applying test with tuberculin to ascertain whether or not the animals so tested are affected with tuberculosis. The owners or keeper of such cattle shall render such reasonable assistance as may be required to enable the State veterinarian or his agent to apply the test with accuracy and dispatch.

SEC. 2. That should the State veterinarian receive information or have reason to believe that tuberculosis exists in any animal or herds of animals, he shall promptly notify the owner or owners and shall arrange to have such animal or animals tested by a qualified veterinarian. That all cattle which shall hereafter react to a tuberculin test shall immediately after such reaction be branded on the left jaw with the letter "T," said letter to be not less than 2 inches in length, and in addition said reactors shall be tagged in the left ear with a special tax to be adopted by the State veterinarian. All cattle so identified shall be slaughtered within a period of 14 days immediately following such reaction, such slaughter to be under the direction of the State veterinarian in an abattoir where Federal or competent local meat inspection is maintained. The owners of such reactors to the tuberculin test shall be indemnified for such

animals as hereinafter provided.

SEC. 3. That before having such reacting animal or animals slaughtered, it shall be the duty of the State veterinarian to notify the owner of his findings as to the condition of said animal or animals; and if such animal shall have been purchased by the owner not less than six months prior to the examination by said veterinarian, then the owner and said veterinarian shall, if possible, agree on the value of such animal or animals so condemned. If said State veterinarian or his agent and the owner of said animal or animals can not agree as to the value of said animal or animals, then each will select a citizen from the county in which said animal or animals are located to act in their place. These two arbitrators shall fix the value of such animal or animals, and in the event said two citizens can not agree, then the United States veterinary inspector in charge of cooperative tuberculosis eradication in Georgia shall act as unpire. In no case shall the value fixed by said owner and State veter-inarian, or by the arbitrators, exceed the amount at which said animal or animals were returned by the owner for taxation to State and county authorities, nor shall the value fixed in the case of a purebred cow or bull exceed \$150, nor in the case of a grade cow or bull the sum of \$90. Upon the value being fixed by agreement as hereinbefore provided, said owner shall be paid, within the limitations hereinbefore provided, jointly by the county commissioners out of county appropriations and by the United States Bureau of Animal Industry out of special Federal Government tuberculosis eradication funds now available.

Sec. 4. That no person, firm, or corporation shall administer veterinary tuberculin except qualified veterinarians. No person, firm, or corporation shall sell, offer for sale or distribution, or keep on hand any veterinary tuberculin, except qualified veterinarians, licensed druggists, or others lawfully engaged in the sale of veterinary biological products. "Qualified veterinarians" within the meaning of this act shall be veterinarians approved by the State veterinarian and the Chief of the United States Bureau of Animal Industry for tuberculin testing cattle intended for interstate shipment.

SEC. 5. That to enforce the provisions of this act and to enable the State veterinarian to eradicate bovine tuberculosis, to establish and maintain a modified accredited tuberculosis-free area, and to develop the livestock industry within the State, the sum of \$12,500 annually, or as much thereof as may be

necessary, be and the same is hereby, appropriated.

Sec. 6. That any violation of any provisions of this act is hereby made a misdemeanor, and shall be punishable by a fine of not less than \$25 for each offense.

Births and Deaths-Registration. (No. 340, Act August 22, 1927)

Section 1. That the State board of health shall have charge of the registration of births and deaths in this State; shall prepare the necessary instructions, forms, and blanks for obtaining and preserving such records; and shall procure the faithful registration of same in each primary registration district as constituted in section 3 of this act, and in the central bureau of vital statistics at the capitol of the State. The said board shall be charged with the uniform and thorough enforcement of this law throughout the State, and shall from time to time recommend any additional legislation that may be necessary for

this purpose

Sec. 2. That the secretary of the State board of health shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said board, and which shall be under the immediate direction of the State registrar of vital statistics, whom the State board of health shall appoint, and who shall be a medical practitioner of not less than five years practice in his profession, and a competent vital statistician. The term of office of the State registrar of vital statistics shall be four years, and he shall continue in office until his successor has qualified. A successor shall be appointed for the ensuing term at least 10 days before the expiration of each term. Any vacancy occurring in such office during a term shall be filled by appointment for the unexpired part of the term. The State board of health shall provide for such clerical and other assistant as may be necessary for the purposes of this act, who shall serve during the pleasure of the board. The compensation of the State registrar of vital statistics and the compensation of said assistants shall be paid by the said board out of the funds appropriated by the general assembly for the maintenance of the State board of health. The custodian of the capitol shall provide for the bureau of vital statistics, at the State capitol, suitable offices, which shall be properly equipped with fire-proof vaults and filing cases for the permanent and safe preservation of all official records provided for by this act.

Sec. 3. That for the purpose of this act the State shall be divided into registration districts as follows: Each city, each incorporated town, and each militia district or part thereof outside of a city or incorporated town shall constitute a primary registration district. The State board of health may combine two or more primary registration districts as one district, or may establish additional districts by dividing a primary registration district into two or more districts,

when necessary to facilitate registration.

SEC. 4. That in each city of this State the city clerk, and in each incorporated town the town clerk, and in each militia district or part thereof outside of a city or of an incorporated town the justice of the peace therefor, or, if there be no justice of the peace, the notary public and ex officio justice of the peace thereof, shall be the local registrar of vital statistics, except where another person has been appointed as such registrar by the State board of health, the said board being hereby authorized to appoint the local registrars in any and all registration districts, in their discretion. Each local registrar shall appoint a deputy registrar, who shall serve as registrar when the local registrar is not immediately accessible for the purpose of registration or the issuance of certificates or permits as required by this act; and should the local registrar and his deputy both be absent from their registration district, the duties of the local registrar of that district may be performed by the local registrar of any

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adjoining district in the same county; and in such cases the registrar acting in the absence of the local registrar shall note on each certificate issued by him the date of filing, and shall forward the certificate in 10 days, and in all cases before the third day of the following month, to the local registrar in whose place he has acted. Any local registrar or deputy registrar who, in the judgment of the State board of health, fails to make a proper and complete return of births and deaths, or to discharge any of his other duties as prescribed by this act, may be summarily removed by said board, and he shall be subject to such penalties as are provided for such officers under section 21 of this act.

Sec. 5. That the body of any person whose death occurs in this State, or which shall be found dead therein, shall not be interred, deposited in a vaul or tomb, cremated, or otherwise disposed of or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the registration district in which the death occurred or the body was found. And no such burial or removal permit shall be issued by the registrar until, where practicable, a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported from outside of the State into this State or from one registration district into another registration district within this State, for burial, the transit or removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be accepted by the sexton or person in charge of the cemetery in lieu of a burial permit at the place of burial.

SEC. 6. That a stillborn child shall be registered as a birth and also a death, and separate certificates of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate to contain, in the place of the name of the child, the word "stillbirth": Provided, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known; and the burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without attendance of either physician or midwife, shall be treated at deaths without medical

attendance, as provided for in section 8 of this act.

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SEC. 7. That the certificate of death shall contain the following items, and such other items as are deemed necessary for legal, social, and sanitary purposes subserved by registration records: (1) Place of death, including State, county. incorporated town, village, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given. (2) Full name of decedent. If an unnamed child, the surname preceded by "Unnamed." (3) Sex. (4) Color or race; as white, black, mulatto (or other Negro descent), Indian, Chinese, Japanese, or other. (5) Conjugal relation; as single, married, widowed, or divorced.
(6) Date of birth, including year, month, and day.
(7) Age, in years, months, and days.
If less than one day, the hours or minutes.
(8) Occupation. The occupation to be reported of any person, male or female, who had any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer). (9) Birthplace, at least State or foreign country, if (10) Name of father. (11) Birthplace of father, at least State or foreign country, if known. (12) Maiden name of mother. (13) Birthplace of mother, at least State or foreign country, if known. (14) Signature and address of informant. (15) Official signature of registrar, with the date when the certificate was filed and registered number. (16) Date of death, year, month, and day. (17) Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and cause of death, with contributory (secondary) cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate. (18) Length of residence (for inmates of hospitals or other institutions, transients, or residents) at place of death and in the State, together with the place where the

disease was contracted, if not at place of death, and former or usual residence. (19) Place of burial or removal, date of burial. (20) Signature of undertaker The personal and statistical or person acting as such, and post-office address. particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts. The statement of facts relating to the disposition of the body shall be signed by the undertaker or the person acting as such. The medical certificate shall be made and signed by the physician, if there was any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which the death occurred. And he shall further state the cause of the death, so as to show the course of the disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit, and any certificate containing only such terms, as defined by the State registrar, shall be returned to the physician or person making the medical certificate for correction and more definite statement. Causes of deaths which may be the result of either disease or violence shall be carefully defined; and if violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, homicidal. And for the deaths in hospitals or institutions, or of nonresidents, the physician shall supply the information required, under this head (item 18), if he is able to do so, and may state where, in his opinion, the disease was contracted.

Sec. 8. That in case of any death occurring without medical attention, it shall be the duty of the undertaker to notify the local registrar of the death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer, if there be such officer in the district where the death occurred, and refer the case to him for immediate investigation and certification: Provided, That when the local health officer is not a physician, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other person having adequate knowledge of the facts: Provided further, That if the registrar has reason to believe that the death may have been due to unlawful act or neglect, he shall then refer the case to the coroner or other proper official for his investigation and certification. And the coroner or other proper official whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease causing the death, or, if from external causes, (1) the means of death, and (2) whether (probably) accidental, suicidal, or homicidal, and shall in any case furnish such information as may be required by the State registrar in order to classify the

death properly.

SEC. 9. That the undertaker, or the person acting as undertaker, shall file the certificate of death with the local registrar of the district in which the death occurred and obtain a burial or removal permit prior to any disposition of the body. He shall obtain the required personal and statistical particulars from the person best qualified to supply them, over the signature and address of his informant. He shall then present the certificate to the attending physician, if there was any, or to the health officer or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record as specified in sections 7 and 8, and he shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address, and present the complete certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker shall deliver the burial or removal permit to the person in charge of the place of burial before interring or otherwise disposing of the body, or shall attach the transit permit to the box containing the corpse when shipped by any transportation company, said permit to accompany the corpse to its destination where, if within the State of Georgia, it shall be delivered to the person in charge of the place of burial. Every person, firm, or corporation selling a coffin or burial casket shall keep a record showing the name of the purchaser and the purchaser's post-office address, and the name of the deceased, which record shall be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation selling coffins or burial caskets in this State shall report to the State registrar each sale for the preceding month, on a blank provided for that purGEORGIA 179

pose: Provided, however, That no person, firm, or corporation selling coffins or burial caskets to dealers or undertakers only shall be required to keep such record, nor shall such report be required from the undertakers when they have direct charge of the disposition of the dead body. Every person, firm, or corporation selling coffins or burial caskets at retail, and not having charge of the body, shall inclose within the casket or coffin a notice furnished by the State registrar calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State board of health concerning the burial or other disposition of a dead body.

SEC. 10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that, a satisfactory certificate of death having been filed with him as required by law, permission is granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed

by the State registrar.

Sec. 11. That no person in charge of any premises on which interments are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, removal, or transit permit as herein provided, and every such person shall indorse upon the permit the date of the interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from date of interment, or within the time fixed by the local board of health. He shall keep a record of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker, which record shall at all times be open to official inspection; provided, that the undertaker or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal or transit permit giving the date of burial, and shall write across the face of the permit the words, "No person in charge," and file the burial or removal or transit permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 12. That the birth of each and every child born in this State shall be

registered as hereinafter provided.

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SEC. 13. That within 10 days after the date of each birth, there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State registrar, upon advice and consent of the State board of health, with a view of procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act. In each case where a physician, or midwife, or person acting as a midwife was in attendance upon the birth, it shall be the duty of such person to file in accordance herewith the certificate herein contemplated. In each case where there was no physician, or midwife, or person acting as midwife, in attendance upon the birth, it shall be the duty of the father or mother of the child, or the householder or the owner of the premises where the birth occurred, having knowledge of such birth, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within 10 days after the date of such birth, to report to the local registrar the fact of such birth. In such case, and in case the physician, or midwife, or person acting as midwife, in attendance upon the birth, is unable, by diligent inquiry, to obtain any item or items of information contemplated in section 14 of this act, it shall be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth, or who may be interrogated in relation thereto, to answer correctly and to the best of his knowledge all questions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by section 14, and it shall be the duty of the informant, in any statement made in accordance herewith, to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 14. That the certificate of birth shall contain the following items, and such other items as are deemed necessary for the legal, social, and sanitary purposes subserved by registration records: (1) Place of birth, including

State, county, incorporated town, village, or city; if in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. (2) Full name of child. If the child dies without a name, before the certificate is filed, enter the words "died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for full name of child is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided. (3) Sex of child. (4) Whether a twin, triplet, or other plural birth. separate certificate shall be required for each child in case of plural births. (5) For plural births, number of each child in order of birth. (6) Whether legitimate or illegitimate. (7) Date of birth, including year, month, and day. (8) Full name of father; provided that if the child is illegitimate, the name of the putative father shall not be entered without his consent, but the other particulars relating to the putative father (items 9 to 13) may be entered if known, otherwise as "unknown." (9) Residence of father. (10) Color or race of father. (11) Age of father at last birthday, in years. (12) Birthplace of father, at least State or foreign country if known. (13) Occupation of father, occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer). (14) Maiden name of mother. (15) Residence of mother. (16) Color or race of mother. (17) Age of mother at last birthday, in years. Birthplace of mother, at least State or foreign country, if known. (19) Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer). (20) Number of children born to this mother, including present birth. (21) Number of children of this mother living. (22) The certification of the attending physician or midwife as to the attendance at birth. including statement of year, month, day, (as given in item 7), and hour of birth, and whether child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with the date of signature and address; if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institutions where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section 13, of this act. (23) Exact date of filing in office of local registrar, attested by his official signature, and registered number of birth, as hereinafter provided.

SEC. 15. That when any certificate of birth of a living child is presented

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That every midwife shall register his or her name, address, and occupation with the local registrar of the district in which he or she resides, or may hereafter establish a residence, such registration to be made on or before the 1st day of February in each year, or, if such residence is established after that date, then within 30 days after the same is established; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State registrar relative to its enforcement. Within 60 days after the close of each calendar year each local registrar shall make a return to the State registrar of all midwives who have registered in his district. No fee or other compensation shall be charged by local registrars to midwives for registering their names under this section or making returns thereof to the State registrar.

Sec. 17. That the State registrar shall prepare, print, and supply all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act, and shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration; and no other blanks shall be used than those supplied by the State registrar, except that in the transportation of dead bodies the standard form of permit adopted by the State board of embalmers may be used. He shall carefully examine the certificates received monthly from the local registrars; and if any such are incomplete or unsatisfactory, he shall require such further information to be supplied as may be necessary to make the records complete

and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts, are hereby required to supply, upon a form provided by the State registrar or upon the original certificate, such information as they may possess regarding any birth or death, upon demand of the State registrar, in person, by mail, or through the local registrar. No certificate of birth or death, after its acceptance for registration by the local registrar, and no record made in pursuance of this act shall be altered or changed in any respect otherwise than by amendments properly dated, signed and witnessed. The State registrar shall further arrange, bind, and permanently preserve the certificates in a systematic manner, and shall prepare and maintain a comprehensive index of all births and deaths registered, said index to be arranged alphabetically, in case of deaths, by name of decedents, and in case of births, by the names of the fathers, or the mothers in the event the name of the father is not known. He shall inform all registrars what diseases are to be considered infectious, or communicable, and dangerous to the public health, as decided by the State board of health, in order than when deaths occur from such diseases proper precautions may be taken to prevent their spread. If any cemetery company or association, any church or historical society or association, or any other company, society, or association, or any individual is in possession of any record of births and deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association, or individual may file such record, or a duly authenticated transcript thereof, with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript, and to make a record and index thereof in such forms as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the public, subject to such reasonable conditions as the State registrar may prescribe. If any person desires a transcript of any record filed in accordance herewith, the State registrar shall furnish the same upon application, together with a certificate that it is a true copy of such record as filed in his office.

SEC. 18. That each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record, in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar. And if any certificate of death is incomplete or unsatisfactory, it shall be his duty to call attention to the defects in the returns, and to withhold the burial or removal permit until such defects are corrected. All certificates either of birth or death shall be written leg bly in durable black ink, and no certificate shall be held to be complete and correct that does not supply all the items of information called for therein, or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal or transit permit to the undertaker; provided, that in case the death occurred from some disease which is held by the State board of health to be infectious, contagious, or communicable or dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar, except under such conditions as may be prescribed by the State board of health. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant, and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with No. 1 for the first birth, and the first death of each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate on the form provided by the State registrar for that purpose, and he shall, on or before the 10th day of each month, transmit to the State registrar all original certificates registered by him for the preceding month, and shall forward to the ordinary of the county in which his district is located his copy of the same, or, if there be a full-time city health officer or a full-time county health officer located in his county, he shall forward his copy to said health officer instead of to the ordinary. And if no birth or no death occurs in any month, he shall on the 10th day of the following month report that fact to the State registrar on a card provided for that purpose. And all birth and death certificates filed with a local registrar when the birth or death occurred outside his district must be forwarded by him, within 10 days, to the local registrar of the district in

which the birth or death occurred. The ordinary or health officer, as the case may be, shall file and preserve in his office all copies of certificates received

SEC. 19. That each local registrar shall be paid a fee of 50 cents for each birth certificate and for each death certificate properly made out and registered with him, and correctly recorded and promptly returned by him to the State registrar as required by this act. And in case no birth or no death certificate was registered during a month, the local registrar shall be paid a fee of 25 cents for each report made by him to that effect, if such report be made promptly as required by this act. All amounts payable to a local registrar under the provisions of this section shall be paid from county funds by the treasurer of the county in which the registration district is located, and the State registrar shall annually, or, in the discretion of the State Board of Health, from time to time during the year, certify to the treasurers of the several counties the number of births and deaths properly registered, with the names of the local registrars and the amounts due each at date of said certificate; provided that before such fees are paid by the county treasurer, the State registrar's certificate as to the amount due for such fees shall be verified by a certificate of the ordinary of the county, or city or county health officer, as the case may be, to whom copies of the original certificates have been furnished by the local registrar as provided in section 18 of this act. The ordinary or the county or city health officer, as the case may be, shall be paid a fee of 10 cents for each copy of birth and each copy of death certificate properly filed by him under section 18

of this act, said fee to be paid from county funds by the county treasurer.

SEC. 20. That the State registrar or ordinary or the county or city health officer shall, upon request, supply to any applicant, a certified copy of the record of any birth or death registered under the provisions of this act, and any such copy of the record of a birth or death, when properly certified by the State registrar or ordinary or city or county health officer, as the case may be, shall be prima facie evidence in all courts and places of the facts therein stated, for which said applicant shall pay a fee of 50 cents. The United States Census Bureau may obtain, without expense to the State, transcripts or certi-

fied copies of births and deaths.

SEC. 21. That any person who, for himself or for an officer, agent, or employee of any other person or of any corporation or partnership, (a) shall inter, cremate, or otherwise finally dispose of a dead body of a human being, or permit the same to be done, or shall remove such body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found, or (b) shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record, required by this act, or (c) shall willfully alter otherwise than is provided by section 17 of this act, or shall falsify any certificate of birth or death, or any record established by this act; or, (d) being required by this act to fill out a certificate of birth or death and file the same with the local registrar, or deliver it upon request, to any person charged with the duty of filing the same, shall fail, neglect or refuse to perform such duty in the manner required by this act; or, (e) being a local registrar or deputy registrar, shall fail, neglect, or refuse to perform his duty as required by this Act, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for the first offense be fined not less than \$5 not more than \$50, and for each subsequent offense not less than \$10 nor more than \$100, or be imprisoned in the county jail not more than 60 days, or be both fined and imprisoned in the discretion of the court.

SEC. 22. That each local registrar is hereby charged with strict and thorough enforcement of the provisions of this act in his registration district, under the supervision and direction of the State registrar, and he shall make an immediate report to the State registrar of any violation of this law coming to his knowledge, by observation or upon complaint of any person, or otherwise. The State registrar is hereby charged with the thorough and efficient execution of the provisions of this act in every part of the State, and is hereby granted supervisory power over local registrars and deputy local registrars to the end that all its requirements shall be uniformly complied with. The State registrar, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him upon request in such investigations. When he shall

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deem it necessary, he shall report such cases of violations of any of the provisions of this act to the prosecuting attorney of the county, with the statement of the facts and circumstances; and when any such case is reported to him by the State registrar, the prosecuting attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State registrar, the attorney general shall assist in the enforcement of the provisions of this act.

SEC. 23. That if any section or part of this be decided by the courts to be unconstitutional or invalid, the same shall not invalidate the remainder of

the act as a whole or in part.

Racial Composition—Registration of Persons to Show. Marriage License— Application for—Duties of State Registrar of Vital Statistics. (No. 317 Act August 20, 1927)

Sec. 2. That upon the passage of this act the State registrar of vital statistics, under the supervision of the State board of health, shall prepare a form for the registration of individuals, whereon shall be given the racial composition of such individual, as Caucasian, Negro, Mongolian, West Indian, Asiatic Indian, Malay, or any mixture thereof, or any other non-Caucasic strains, and if there be any mixture, then the racial composition of the parents and other ancestors in so far as ascertainable, so as to show in what generation such mixture occurred. Said form shall also give the date and place of birth of the registrant, name, race, and color of the parents of registrant, together with their place of birth if known, name of husband or wife of registrant, with his or her place of birth, names of children of registrant with their ages and place of residence, place of residence of registrant for the five years immediately preceding registration, and such other information as may be prescribed for identification by the State registrar of vital statistics.

SEC. 3. That the State registrar of vital statistics shall supply to each local registrar a sufficient number of such forms to carry out the provisions of this

act.

SEC. 4. That each local registrar shall personally or by deputy, upon receipt of said forms, cause each person in his district or jurisdiction to execute said form in duplicate, furnishing all available information required upon said form, the original of which form shall be forwarded by the local registrar to the State registrar of vital statistics, and a duplicate delivered to the ordinary of the county. Said form shall be signed by the registrant, or, in case of children under 14 years of age, by a parent, guardian, or other person standing in loco parentis. The execution of such registration certificate shall be certified to by the local registrar.

SEC. 5. If the local registrar have reason to believe that any statement made by any registrant is not true, he shall so write upon such certificate before forwarding the same to the State registrar or ordinary, giving his reason therefor.

SEC. 6. It shall be unlawful for any person to refuse to execute said registration certificate as provided in this act, or to refuse to give the information required in the execution of the same; and any person who shall refuse to execute such certificate, or who shall refuse to give the information required in the execution of the same, shall be guilty of a misdemeanor, and shall be punished as prescribed in section 1065 of the Penal Code of Georgia of 1910.

Each such refusal shall constitute a separate offense.

SEC. 7. The local registrar shall collect from each registrant a registration fee of 30 cents, 15 cents of which shall go to the local registrar and 15 cents of which shall go to the State board of health, to be used in defraying expenses of the State bureau of vital statistics. If any registrant shall make affidavit that through poverty he is unable to pay said registration fee of 30 cents, the local registrar shall receive a registration fee of only 10 cents for such registration, which sum shall be paid out of the funds of the State bureau of vital statistics, and the State bureau of vital statistics shall receive no fee for such registration. This section shall not apply to the registration of births or deaths, the registration of which is otherwise provided for.

Sec. 8. That it shall be a felony for any person to willfully or knowingly make or cause to be made a registration certificate false as to color or race, and upon conviction thereof such person shall be punished by imprisonment in the penitentiary for not less than one year and not more than two years. In such case the State registrar is authorized to change the registration certificate so

that it will conform to the truth.

Sec. 9. That upon the passage of this act, the State registrar of vital statistics shall prepare a form for application for marriage license, which form shall require the following information to be given over the signature of the prospective bride and groom: Name and address; race and color; place of birth; age; name and address of each parent; race and color of each parent; and whether the applicant is registered with the bureau of vital statistics of this or any other State, and, if registered, the county in which such registration was made. The State registrar of vital statistics shall at all times keep the ordinaries of each county in this State supplied with a sufficient number of said form of application for marriage license to care for all applications for marriage license. Each prospective bride and each prospective groom applying for marriage license shall fill out and execute said application in duplicate.

Sec. 10. That upon such applications for marriage license being filed with the ordinary by the prospective bride and prospective groom, the ordinary shall forward the original of such application to the State registrar of vital statistics,

and retain the duplicate of such application in his files.

Sec. 11. That the ordinary shall withhold the issuing of any marriage license until a report upon such application has been received from the State registrar of vital statistics. Said report from the State registrar of vital statistics shall be forwarded to the ordinary by the next return mail, and shall state whether or not each applicant is registered in the bureau of vital statistics; if registered, the report shall state whether the statements made by each applicant as to race and color are correct according to such registration certificate. If the registration certificate in the office of the bureau of vital statistics show that the statement of either applicant as to race or color are untrue, the report of the State registrar of vital statistics shall so state, and in such case it shall be illegal for the ordinary to issue a marriage license to the applicants, until the truth of such statements of the applicants shall have been determined in a legal proceeding brought against the ordinary to compel the issuing of such license. If the report from the State registrar of vital statistics shows that the applicants are not registered, and if the State bureau of vital statistics has no information as to the race or color of said applicants, then the ordinary shall issue the marriage license if he has no evidence or knowledge that such marriage would be illegal. If one of the applicants is registered with the State bureau of vital statistics and the other applicant is not so registered, if the records of the bureau of vital statistics contain no information to disprove the statements of either applicant as to color or race, then the ordinary shall issue the marriage license, if he has no evidence or knowledge that such marriage would be illegal: *Provided*, That where each party is registered and such registration certificate is on file in the office of the ordinary of the county where application for marriage license is made, it shall not be necessary for the ordinary to obtain any information from the State bureau of vital statistics: And provided further, That when any person who has previously registered as required herein moves to another county, he may file with the ordinary of the county of his new residence a certified copy of his registration certificate, which shall have the same effect as if such registration had been made originally in said county.

SEC. 12. That where any application for marriage license shows that such applicant was not born in this State and is not registered with the bureau of vital statistics of this State, the ordinary shall forward a copy of such application to the State registrar of vital statistics of this State, and shall also forward a copy of the application to the clerk of the superior or circuit court, as the case may be, of the county of the applicant's birth, and another copy to the bureau of vital statistics, at the capitol of the State, of the applicant's birth, with the request that the statements therein contained be verified. If no answer be received from such clerk or bureau of vital statistics within 10 days, the ordinary shall issue the license if he have no evidence or knowledge that such marriage would be illegal. If an answer be received within 10 days, showing the statement of such applicant to be untrue, the ordinary shall withhold the issuing of the license until the truth of such statements of the applicant shall have been determined in a legal proceeding brought against the ordinary to compel the issuing of such license. In all cases where answers are received from such clerk or bureau of vital statistics, a copy of the answer shall be forwarded to the State registrar of vital statistics of this State.

Sec. 13. That when a marriage license is issued by the ordinary, it shall be returned to the ordinary by the officer or minister solemnizing the marriage, and

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forwarded by the ordinary to the State registrar of vital statistics, to be permanently retained by said registrar.

Sec. 16. That any person who shall make or cause to be made a false statement as to race or color of himself or parents, in any application for marriage license, shall be guilty of a felony, and shall be punished by imprisonment in the penitentiary for not less than two nor more than five years.

SEC. 17. That any ordinary who shall issue a marriage license without complying with each and every provision of this act shall be guilty of and punished

as for a misdemeanor.

SEC. 19. That if any case of a marriage in violation of the provisions of this act is reported to the State registrar of vital statistics, he shall investigate such report, and shall turn over to the attorney general of the State the infor-

mation obtained through such investigation.

Sec. 20. That when any birth certificate is forwarded to the bureau of vital statistics, showing the birth of a legitimate child to parents one of whom is white and one of whom is colored, it shall be the duty of the State registrar of vital statistics to report the same to the attorney general of the State, with full information concerning the same. Thereupon it shall be the duty of the attorney general to institute criminal proceedings against the parents of such child, for any violation of the provisions of this act which may have been committed.

SEC. 21. That it shall be the duty of the attorney general of the State, as well as the duty of the solicitor general of the superior court where such violation occurs, to prosecute each violation of any of the provisions of this act, when the same is reported to him by the State registrar of vital statistics. If the attorney general fails or refuses to prosecute any such violation so reported to him by the State registrar of vital statistics, the same shall be grounds for impeachment of the attorney general, and it shall be the duty of the State registrar of vital statistics to institute impeachment proceedings against the attorney general in such case.

Sewers and Sewage-Disposal Plants—Approval of Plans for Construction in Certain Counties. (No. 90, Act August 1, 1927)

[This act amends section 1 of act No. 272, laws of 1921, to read as follows:] Section 1. In any county having a population of 200,000 or more inhabitants by the last United States census, it shall be unlawful to record or receive for record in the office of the clerk of the superior court any map or plat for the laying out of any street or highway, unless it bears the indorsement thereon of the commissioners of roads and revenue: Provided, That if the land to be platted is located within a city having a city planning commission established by charter, or outside of such city within 6 miles of the limits thereof, such indorsement shall be by the mayor and general council of such city. * * * Any such map must first be submitted to the city planning commission for consideration and report to the mayor and general council, provided the property thus platted is located within such city or within 6 miles of the limits thereof. The foregoing provisions shall likewise apply when any person in said territory desires to construct sewers or disposal plants or similar construction for the disposal of sewerage. In such event the provisions of this section apply, so that the plans for the construction of said sewerage and disposal plants must be approved in the same manner as provided for the approval of plats, and the penalty provided in section 2 of this act shall apply to all improvements and any subdiv sions wherein sewers or disposal plants as herein provided are constructed; the same penalty concerning same shall apply for failure to have the plans for same approved before being installed as applies to selling land as herein provided with reference to recording plats.

Adoption—Filing Copy of Decree with State Registrar of Vital Statistics. (No. 154, Act August 8, 1927)

SECTION 1. That section 3016 of the Civil Code of Georgia of 1910 be, and the same is hereby, amended by adding at the end of said section the following:

(e) A copy of the decree of adoption [of a child] shall be filed with the State registrar of vital statistics.

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Communicable Diseases—Names Contained in Reports of Cases Not to Be Made Public. (Act 117, April 23, 1927)

[This act adds the following section to the revised laws, 1925:]

Sec. 933A. Reports to the board of health provided for by this chapter [70] shall not be made public so as to disclose the identity of the persons to whom they relate except in so far as may be necessary to safeguard the public health against those who disobey the rules and regulations relating to these diseases or to secure conformity to the laws of the Territory.

Certain Diseases—Declared Communicable and Made Reportable. (Reg. Bd. of H., December 17, 1927)

That the following diseases—actinomycosis, anthrax, chlonorchiasis, encephalitis lethargic, favus, gonorrheal ophthalmia, uncinariasis, impetigo contagiosa, mumps, pneumonia (broncho and lobar), and septic sore throat—be and hereby are declared to be communicable and infectious diseases within the meaning of section 934, revised laws of 1925, and that physicians should report them under the provisions of section 932, revised laws of 1925.

Communicable Diseases—Control Measures for Specific Diseases. Food Establishments—Employment of Persons Having Communicable Diseases Prohibited. Food Handlers—Health Certificate Required. (Reg. Bd. of H., December 9, 1927)

Actinomycosis.—If a person infected with actinomycosis is under adequate medical supervision, isolation, and quarantine are not required, but a report of the case is to be made to the board of health.

Anthrax.—Any person found to be infected with anthrax must be isolated until all lesions are healed. Infected animals must be isolated until clinically

well. All cases must be reported to the board of health.

Cerebrospinal meningitis.—All persons having cerebrospinal meningitis shall be isolated until one week after temperature is normal and two consecutive day swabs from the nasopharynx are negative. Every diagnosis of cerebrospinal meningitis shall be confirmed by a bacteriological examination of the nasal and pharyngeal secretions. A placard must be placed in a conspicuous position on any house occupied by a person afflicted with cerebrospinal meningitis. Search is to be made for carriers among all contacts by a bacteriological examination of the posterior nares. Contacts may be released from quarantine after one negative swab. All discharges from the nose and mouth and all articles soiled therewith must be thoroughly disinfected. Instructions should be given in regard to personal cleanliness, necessity of avoiding contacts, danger of droplet infection, and prevention of overcrowding, such as is common in living quarters, transportation conveyances, working places, and places of assembly.

Cholera.—In all cases of cholera the diagnosis must be confirmed by a board of health bacteriological examination of the stools. All persons afflicted with cholera must be isolated in a quarantine hospital. The length of quarantine shall be as follows; All contacts shall be isolated for five days from last exposure or longer if stools are found to contain the cholera vibrio; patients or carriers shall be released when stools are found to be free of the infecting organism on two successive examinations at five days' interval. There shall be a bacteriological examination of the stools of all contacts to determine carriers.

Scrupulous cleanliness and rigid personal prophylaxis is to be observed by attendants on cholera patients. All stools and vomited matter, as well as articles used by and in connection with the patient, shall be promptly and thoroughly disinfected. Water should be boiled and food carefully supervised.

Clonorchiasis.—The stools of suspected cases of liver fluke infection shall be sent to the board of health laboratory for diagnosis. Premises shall be inspected to determine sanitary conditions.

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Dengue.—All persons found to be suffering from dengue shall be isolated in a screened room until clinically well. Release from quarantine shall be on the

statement of a physician.

Diphtheria.—A person infected with diphtheria shall be quarantined and the premises placarded. Bacteriological examination of swabs from the throat must be made in all cases. All children in the family shall be quarantined. If the patient is properly isolated, children may be permitted to return to school after two negative cultures, taken 24 hours apart. When a Schick test is obtained, all contacts shall be promptly immunized by antitoxin.

Dysentery.—Any person found to have dysentery (amoebic or bacillary) shall be isolated in a screened room until reported clinically well by a physician. All stools and articles soiled by the patient must be thoroughly disinfected. Attendants' hands shall be disinfected after caring for patient. No person convalescing from dysentery shall be permitted to handle food until stools are shown to be bacteriologically free from the infective organism.

contacts should be examined bacteriologically for the organism. Encephalitis lethargic.—A person afflicted with lethargic encephalitis shall be

isolated until the attending physician shall report the disease terminated. Favus.-Any child having favus shall be excluded from school until all lesions have disappeared. Care should be given to prevent other members of the family from contracting the disease, by keeping clothes, towels, etc., used by the patient, from being used by others.

Gonorrheal ophthalmia.—Every person found to have gonorrheal ophthalmia shall be isolated. Discharges from eyes and articles solled with them shall be disinfected. No child shall be permitted to attend school while afflicted with this disease. Physicians and others attending childbirth must instill a 1 per cent solution of silver nitrate in the eyes of the child immediately after birth.

Hookworm.-Any person found to have hookworm shall be kept under continual medical supervision until free from the parasite. Careful instruction should be given to the patient as to prevention of soil pollution by the proper disposal of excreta.

Impetigo contagiosa.—Children suffering from impetigo contagiosa shall be excluded from school until cured, unless under adequate continuous treatment,

to be released on physician['s] report.

Influenza.—All cases of influenza shall be reported to the board of health, patient isolated and the premises placarded. Patient may be released after a normal temperature has been maintained for five days. Physicians should differentiate between influenza and the mild respiratory infections.

Measles.—Persons suffering from measles shall be isolated until five days after skin eruption begins, as reported by the physician. All children in a family in which a case of measles is present shall be excluded from school, unless immune. Contacts, not immunized by previous infection, shall be re-

leased 14 days after exposure if the patient is properly isolated.

Mumps.—Children suffering from mumps shall be excluded from school and public gatherings until 21 days from onset of disease. Discharges from the mouth and articles soiled with them should be disinfected. A nonimmune contact shall be excluded from school for 21 days. Permission to return to school to be on physician's report. All cases to be reported to the board of health.

Pertussis (whooping cough).—Persons suffering from whooping cough shall be isolated for two weeks after first paroxysm. Contacts to be isolated three weeks from last exposure. No child shall return to school until the paroxysmal

cough has ceased.

Plague.-A person found to have plague shall be promptly isolated in a quarantine hospital, or other place approved by the board of health, until cured. All contacts shall be quarantined for seven days after last exposure. All discharges and articles soil with them must be thoroughly disinfected. The board of health shall supervise autopsies of all deaths during an epidemic. The board of health shall also supervise the disposal of the dead, by seeing that those dying of this disease are cremated or buried in quicklime.

Pneumonia (broncho and lobar) .- All cases of pneumonia must be reported to the board of health and patients isolated during the clinical course of the

disease. Sputum and all articles soiled with it should be disinfected.

Poliomyelitis.—Every case of poliomyelitis shall be isolated in a screened room as soon as recognized and the premises placarded. All exposed children

in the family shall be quarantined 14 days after last exposure. Patients may be released 21 days from onset. During the prevalence of an epidemic all

children with fever should be isolated, pending diagnosis.

Scarlet fever.—Any person having scarlet fever shall be quarantined and held in isolation as long as there is a pathologic discharge from any body cavity, or an exudate from any lesion, or until two weeks after cessation of peeling, as inspected by the board of health. Contacts to be isolated for one week after last exposure. All contacts employed in connection with dairies and handling of food are prohibited from engaging in these occupations until removal of quarantine.

Septio sore throat.—Every person suffering from septic sore throat shall be isolated during the clinical course of the disease and during convalescence. No person having a septic sore throat, or convalescing therefrom, shall be permitted to participate in the production or handling of milk or milk products. Smallpox.—Every case of smallpox must be isolated in a quarantine hospital

or other place approved by the board of health.

All contacts shall be quarantined until five days after a successful vaccination or upon proof of their immunity or for a period of twenty days.

Patients may be released from quarantine 16 days after onset or when all

scales are separated and the skin completely healed.

Tetanus.—In every case presenting a wound that has been soiled by earth or manure, immunization against tetanus should be obtained by the use of antitoxin. All cases of tetanus should be treated with antitoxin. No quarantine is necessary. All dressings from suspicious wounds should be burned.

Trachoma.—Every person found to be suffering from trachoma shall be reported to the board of health. No child having trachoma shall be permitted to attend public or private school until the infectious stage of the disease is passed, and then only on the recommendation of the attending physiciau, approved by the board of health.

Tuberculosis.—In order to obtain the release of a person having tuberculosis (see section 952) the standards adopted by the National Tuberculosis Association, 1920, shall be used. "Arrested, all constitutional symptoms and expectoration with bacilli absent for six months; the physical signs, those of a healed

lesion."

It shall also be the duty of the attending physician to make a report in writing on a form furnished by the board of health, of this fact to the board of health or its agent, who shall record the same and shall relieve said person

from further supervision.

No employer shall require, permit, or suffer any person to work, lodge, sleep, or remain, nor shall any person work, lodge, sleep, or remain in a building, room, basement, celler, place, or vehicle occupied or used for the production, preparation, manufacture, packing, storage, sale, distribution, or transportation of food, who is afflicted or affected with any venereal disease, smallpox, diphtheria, scarlet fever, yellow fever, tuberculosis, consumption, bubonic plague, Asiatic cholera, leprosy, trachoma, typhoid fever, mumps, influenza, epidemic dysentery, measles, whooping cough, chicken pox, or any other infectious or contagious disease.

It shall be the duty of an employer to require all employees, viz., cooks, waiters, packers, bakers, confectioners, salesmen, or others handling food, to present a certificate of health from the board of health. The board of health shall examine all persons employed in the handling, distributing, or sale of foodstuffs to determine their freedom from communicable diseases and furnish

a certificate of health.

Whenever used, substitute the words "chest clinic" for "antituberculosis

bureau."

Typhoid fever (enteric fever).—Every person found to be suffering from typhoid fever shall be isolated in a hospital or in their homes if proper care and control can be exercised by the attending physician.

Premises must be placarded. All cases shall be confirmed by a Widal test and bacteriological examination of bowel discharges or urine. A Widal test and bacteriological stool examination shall be made on all suspects. All non-

immune contacts shall be immunized.

A patient may be released from quarantine after two negative stools taken seven days apart have been reported. There shall be sanitary supervision of the premises of all cases of typhoid fever, investigation of milk, water supply, and vegetables.

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A person who is in contact with a case of typhoid fever is prohibited from engaging in any occupation in connection with a dairy or the handling of milk, ice cream, or other food products or from serving as cook or waiter in a restaurant, hotel, or boarding house.

Typhus fever.-Persons having typhus fever shall be isolated in a vermin-free

room and the premises placarded.

All contacts shall be quarantined for 12 days after last exposure. Release

from quarantine in all cases shall be on physician's certificate.

Varicella (chicken pox).—Any person found to have chicken pox shall be reported to the board of health and isolated during the period of communicability. No person shall be released from quarantine until 12 days after the appearance of the eruption and until the crusts have fallen and the scars are completely healed.

All persons over the age of 15 years who shall be afflicted with this disease shall be inspected by a board of health official for the purpose of confirming the diagnosis. Children of school age shall be excluded from school until released from isolation, and all contacts shall likewise be excluded from school

until 14 days after exposure.

Yellow fever.—A person found to be suffering from yellow fever shall be isolated for six days from onset of the disease in a screened room. All contacts shall be isolated until six days from last exposure.

Communicable Diseases—School Attendance. (Reg. Bd. of H., January 24,

It shall be the duty of the health officer, medical inspector, or Government physician to exclude from any public or private school any child affected with a disease that is infectious, communicable, or dangerous to another or others, until such child shall have presented a certificate issued by the health officer or medical inspector or by the attending physician stating that such child is

not liable to convey infection.

No person affected with cerebrospinal meningitis, cholera Asiatic, conjunctivitis follicular, diphtheria, dysentery amoebic, enteric (or typhoid) fever, fever paratyphoid, leprosy, measles, German measles, mumps, dengue, paralysis infantile, pertussis, plague, scarlet fever (or scarlatina), tetanus, trachoma, tuberculosis, typhus fever, varicella, variola, varioloid, yellow fever, encephalitis lethargica, epidemic or septic sore throat, poliomyelitis, shall attend or be permitted to attend any public or private school, except under such conditions as the board of health may prescribe as to special treatment of such persons, and it shall be the duty of the principal of any public or private school to refuse admission to children affected with any of the diseases specified herein, except as to a special school designated by the board of health for the treatment of any one of the foregoing diseases.

Certified Milk—Methods and Standards Governing. Milk—Delivery, Temperature, and Bacterial Count of Certain Grades. (Reg. Bd. of H., December 9, 1927)

Certified milk.—This grade of milk shall conform to and be produced in accordance with the methods and standards prescribed by the medical milk commission appointed by the county medical society and kept on file and subject

to reference at the office of the territorial board of health.

Grade A raw.—Such milk must be delivered within 24 hours from the time of milking and if not so delivered within that time the same shall be maintained at a temperature not over 40° Fahrenheit, until delivered to a distributing depot and at no time, until it reaches the consumer, shall the bacterial count be more than 125,000 bacteria per cubic centimeter.

The refrigerating room shall be provided with self-recording thermometers, in good working order, which shall be accessible at all times to the board of

health agents for inspection.

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Grade A pasteurized.—Such milk must be delivered within 24 hours after pasteurization and if not so delivered within that time the same shall be maintained at a temperature not over 40° Fahrenheit, until delivered to a distributing depot, and at no time until it reaches the consumer shall the bacterial count be more than 75,000 bacteria per cubic centimeter.

The refrigerating room shall be provided with self-recording thermometers, in good working order, which shall be accessible at all times to the board of health agents for inspection.

Grade AA raw.—Such milk must not, at any time previous to delivery to the consumer, have an official plate count of more than 25,000 bacteria per cubic

centimeter.

Such milk must be delivered within 36 hours from the time of milking and if not so delivered within that time the same shall be maintained at a temperature not over 40° Fahrenheit, until delivered to a distributing depot and at no time until it reaches the consumer shall the bacterial count be more than 25,000 bacteria per cubic centimeter.

All refrigerating rooms where the milk is held shall be provided with self-recording thermometers, in good working order, which shall be accessible at all

times to the board of health agents for inspection.

Grade AA pasteurized.—Such milk must be delivered within 36 hours after pasteurization and if not so delivered within that time the same shall be maintained at a temperature not over 40° Fahrenheit, until delivered to a distributing depot and at no time until it reaches the consumer shall the bacterial count be more than 25,000 bacteria per cubic centimeters.

All refrigerating rooms where the milk is held shall be provided with selfrecording thermometers, in good working order, which shall be accessible at

all times to the board of health agents for inspection.

Tuberculous Cattle—Destruction—Indemnity for Animals Destroyed. (Act 215, April 27, 1927)

[This act amends sections 628 and 629 of the revised laws, 1925, to read as follows:]

SEC. 628. Disposal of tuberculous animals.—The owner of all cattle reacting to the tuberculin test shall cause them to be segregated immediately and, within a reasonable time thereafter, to be delivered for slaughter at such time and place as may be designated by the Territorial veterinarian, his assistant or deputy. Such slaughter shall be under the direct supervision of the Territorial veterinarian, his assistant or deputy, and in accordance with the meat-inspection

regulations of the Federal Bureau of Animal Industry.

SEC. 629. Indemnification.—For any animal slaughtered, under the provisions of the foregoing section, the owner shall be paid \$100 for a pure-bred registered animal or \$50 for a grade animal: Provided, That no compensation will be paid for tuberculous steers, nor will compensation be paid for bulls which are not pure bred. The amount of indemnification being thus ascertained, the owner may present to the Territorial auditor a claim against the Territory of Hawaii for such indemnification. A warrant for the payment of such a claim shail be made upon vouchers approved by the president of the board of agriculture and forestry: Provided, (a), That no indemnification shall be paid unless the owner has cooperated with the board in complying with all rules and regulations issued pursuant to the control and eradication of bovine tuberculosis and has presented his whole herd for testing: And provided, (b), That no indemnification shall be paid for any imported animal which, after admission to the Territory, shall have been placed in herds known to be infected at the time: And provided, (c), That no indemnification shall be paid for any imported animal condemned on retest while in quarantine and before release from quarantine.

In case of any report or ruling adverse to the owner hereunder, the owner shall be given a hearing before the board before a final ruling is made.

Birth Records—Amendment on Legitimation of Children. (Act 17, March 25, 1927)

SECTION 1. Section 3043 of the Revised Laws of Hawaii, 1925, is hereby

amended to read as follows:

SEC. 3043. Bastards; legitimation.—All children born out of wedlock, irrespective of the marriage of either parent to another, become legitimate on the marriage of the parents with each other and are entitled to the same rights as those born in wedlock and shall take their father's name as a family name, and a Christian name suitable to their sex. Such child or children or the parents thereof may petition the register general of vital statistics to have the birth record amended to make such birth legitimate and to insert therein

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the name of the father, and the registrar general is hereby directed to make such amendments upon being satisfied that such child or children has or have been legitimated.

Certificates of Hawaiian Birth-Issuance. (Act 202, April 27, 1927)

Section 1. Section 196 of the Revised Laws of Hawaii, 1925, is hereby

amended to read as follows:

Sec. 196. Issuance; procedure.—The Secretary of Hawaii may, whenever satisfied that any person was born within the Hawaiian Islands, cause to be issued to such person a certificate showing such fact. The secretary, with the approval of the governor, may make such regulations respecting the form of application and certificates, the method of proof, kind of evidence and time, place and manner of hearing, and all other matters and circumstances connected with such application, proof, and hearing as to him may appear necessary, and such regulations, when so approved and published once a week for three successive weeks in a newspaper of general circulation, published in the Territory, shall have the force of law, and such publication shall be deemed legal notice to all persons. The secretary shall furnish the form of such applications and certificates. All applications shall be by sworn petition, in which the party shall set forth the facts upon which the application rests.

The Secretary of the Territory of Hawaii, or his secretary, or such other person as he may designate and appoint from his office, may examine, under oath, any applicant or person cognizant of the facts regarding any application. and for that purpose he and they may administer oaths, subpœna, and compel the attendance of witnesses and the production of books and papers, punish for contempts, and, generally, to exercise the same authority with regard to their special jurisdiction as is by law conferred on district magistrates.

Marriage Records-Surrendering to Territorial Treasurer. (Reg. Bd. of H., May 17, 1927)

The following regulation and requirements relating to the proper surrendering of marriage records by any person authorized to grant marriage licenses or to solemnize marriage shall be strictly observed, subject, however, to such changes and modifications as the Territorial board of health may otherwise require and direct:

It shall be the duty of any agent authorized to grant marriage licenses or to solemnize marriage to turn in their records to the treasurer of the Territory of Hawaii upon the cancellation of their commission, under penalty, upon due

proof of neglect to make such delivery."

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Radium for Medical and Surgical Purposes—Purchase by Territorial Board of Health Authorized. (Act 120, April 23, 1927)

SECTION 1. The board of health of the Territory of Hawaii is hereby authorized to purchase radium to be used for medical and surgical purposes, and the sum of \$10,000 is hereby appropriated out of the general revenues of the Territory of Hawaii for such purpose; provided, however, that the radium so purchased shall be such as shall be approved by the Bureau of Standards at Washington, D. C., and provided, further, that the said purchase may be made without regard to the provisions of section 1477 of the Revised Laws of Hawaii,

Mattresses-Making, Remaking, Renovation, Labeling, and Sale. (Act 234, April 27, 1927)

Section 1. Definition.—The term "mattress" as used in this act shall be construed to mean any quilted pad, comforter, mattress, mattress-pad, bunk quilt or cushion, stuffed or filled with wool, hair, or other soft material, to be used on a couch or other bed for sleeping or reclining purposes.

Sec. 2. No person or corporation, by himself or by his agents, servants, or employees, shall employ or use in the making, remaking, or renovating of any mattress, any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital.

or institution for the treatment of persons suffering from disease, or for or about any person having any infectious or contagious disease; any material known as "shoddy," and made in whole or in part from old worn clothing, carpets, or other fabrics, or materials previously used, or any other fabrics or materials from which shoddy is constructed; any material, not otherwise prohibited by this act, of which prior use has been made, unless any and all of said materials have been thoroughly sterilized and disinfected by a reasonable

process approved by the Territorial board of health.

SEC. 3. No person or corporation, by himself or his agents, servants, or employees, shall, directly or indirectly, at wholesale or retail, or otherwise, sell, offer for sale, deliver or consign, or have in his possession with intent to sell, deliver, or consign, any mattress that shall not be plainly and indelibly stamped or printed thereon, or upon a muslin or linen tag, not smaller than 3 inches square, securely sewed to the covering thereof a statement in the English language, setting forth the kind or kinds of materials used in filling the said mattress, and whether the materials are in whole, or in part, new or old. or second-hand or shoddy, and the name and address of the manufacturer or vendor thereof, or both; also the quantity of such materials used, expressed in terms of avoirdupois weight; also size of same, expressed in linear measure, clearly indicating the length and breadth thereof, except that tags attached to comforters need state only the percentage of new material and (or) shoddy material, and that no sizes be marked on same; provided, however, that this act shall not apply to the sale or other disposal by the owner thereof of any mattress constituting a part of his household furniture.

SEC. 4. Whenever the word "felt," as applied to cotton, is used in the said statement concerning materials, it shall be indicated in said statement whether said felt is "felted cotton" or "felted linters." This section shall

not apply to comforters.

Sec. 5. It shall be unlawful to use in the said statement concerning any mattress the word "floss" or words of like import, if there has been used in filling said mattress any materials which are not termed as "kapok."

Sec. 6. It shall be unlawful to use in said statement concerning any matters the word "hair" unless said mattress is entirely manufactured of animals'

hair.

Sec. 7. It shall be unlawful to use in the description in the said statement any misleading term or designation, or term or designation likely to mislead.

Sec. 8. Any mattress made from more than one new material shall have stamped upon the tag attached thereto the percentage of each material so used. The provisions of this section shall not apply to comforters.

Sec. 9. Any mattress made from any material of which prior use has been

Sec. 9. Any mattress made from any material of which prior use has been made shall have stamped or printed upon the tag attached thereto, in type not smaller than twenty-point, the words "second-hand material."

Sec. 10. Any mattress made from material known as "shoddy" shall have stamped or printed upon the tag attached thereto, in type not smaller than twenty-point, the words "shoddy material."

Sec. 11. The statement required under section 3 of this act shall be in the following form:

MATERIALS USED IN FILLINGS

Percentage of kinds of materials	pounds.
Size	
Vendor	
Address	

Sec. 12. Any person who shall remove, deface, alter, or in any manner attempt the same, or shall cause to be removed, defaced, or altered, any mark or statement placed upon any mattress under the provisions of this act shall

be guilty of the violation of this act.

Sec. 13. Any person or corporation violating the provisions of the act shall be gui[1]ty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$20, and not to exceed \$100, for each offense, or by imprisonment for not less than three months, and not exceeding six months, or by both such fine and imprisonment.

Merchandise at Kalaupapa Store, Molokai—Sale Prices. (Act 245, April 28, 1927)

Section 1. It shall be unlawful for the board of health or its agents to sell or offer for sale any merchandise at the Kalaupapa Store, Molokai, at a

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price or prices exceeding the actual cost thereof, free on board steamer at Honolulu.

SEC. 2. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and shall be subject to a fine of \$25 and in addition thereto shall, in the discretion of the board of health, be subjected to removal from office.

Alien and Nonresident Public Charges in Territorial Hospital—Powers and Duties of Territorial Board of Health Regarding Deportation or Return to States of. (Act 235, April 27, 1927)

Section 1. It shall be the duty of the board of health of the Territory of Hawaii to cooperate with the United States Bureau of Immigration in arranging for the deportation of all alien public charges who are now confined in or may

be hereafter admitted or committed to the Territorial hospital.

SEC. 2. The board of health of the Territory of Hawaii shall also return all nonresident public charges, who are now confined in or who may be hereafter admitted or committed to the Territorial hospital, to the State or States in which they may have a legal residence. For the purpose of facilitating the return of such persons, the said board of health of the Territory of Hawaii may enter into reciprocal agreements with the proper boards, commissions, or officers of other States for the mutual exchange of such public charges now confined in or hereafter admitted or committed to the Territorial hospital whose legal residence is in another State, and it is authorized and empowered to file written permission for the return of any resident or residents of the Territory of Hawaii now confined in a public institution in another State, corresponding to any institution coming within the definition of State hospitals for the insane, or in which they were under detention, not having been lawfully discharged therefrom.

SEC. 3. A person shall be deemed to be a resident of this Territory within the meaning of this act who shall have lived continuously in the Territory for a period of one year and who has not acquired a residence in another State by living continuously therein for at least one year subsequent to his residence in the Territory: Provided, however, That the time spent in a public institution or on parole therefrom shall not be counted in determining the matter of residence in this or another State. In determining the residence of a minor inmate of the Territorial hospital, due consideration shall be given to the residence of the parents of said inmate, and if either one or both parents of said minor inmate are residents of the Territory of Hawaii the inmate shall also be deemed a resident of the Territory of Hawaii.

Sec. 4. All expenses incurred in returning such persons to another State shall be paid by the Territory of Hawaii, but the expense of returning residents of

this Territory shall be borne by the State making the return.

Sec. 5. The cost and expense incurred in effecting the transportation of such persons shall be paid from the funds appropriated for that purpose, or if no such funds be available, then from the money appropriated for the care of the insane, or incompetent and delinquent, as may be necessary, upon vouchers approved by the board of health.

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Medicines and Medical Supplies—Supplying to Quarantined Persons Unable to Procure Same. (Ch. 122, Act March 2, 1927)

Section 1. Whenever a quarantine has been declared as provided in section 1662 of the Compiled Statutes, and any person so quarantined is unable through poverty or otherwise to procure such medicines, medicinal and surgical supplies, vaccines, serums, antitoxins, or other sick-room supplies as the attending physician deems necessary for the abatement or cure of the disease, the board of county commissioners, or the local health officers with the consent of the board of county commissioners, shall purchase and supply to the quarantined person such necessities, and the cost of the same shall be deemed to be a debt due the county from such person, and may be recovered from him, or from his estate in the event of his death: *Provided*, That in case the amount due the county is uncollectible the same shall be paid out of the funds of the county available for poor relief.

State Commissioner of Public Welfare and Departmental Officers—Compensation. (Ch. 188, Act March 9, 1927)

[This act amends section 258 (as amended by ch. 142, laws of 1923) of the

Compiled Statutes, 1919, to read as follows:]

SEC. 258. Salaries.—* * * the commissioner of public welfare * * * shall * * * receive an annual salary of \$3,600, all of said salaries being payable in equal monthly installments. Other officers shall receive such salaries as shall be fixed by the commissioner of the department, with the approval of the governor, not exceeding the amount appropriated by the legislature therefor.

Certain Food Establishments—Persons Conducting, Operating, or Employed in, Required to Have Health Certificate. (Ch. 116, Act March 2, 1927)

SECTION 1. All the provisions of chapter 91 of the Idaho Session Laws for 1925 shall apply to, and be in full force and effect in relation to, all butchers, butcher shops, and places where meat or meat products are made, prepared, or sold, all bakeries, and places where bakery goods are made; and all candy makers, and places where candy is made.

Creameries, Milk Plants, etc.-License. (Ch. 98, Act March 1, 1927)

Section 1. That section 8 of chapter 224 of the Session Laws of Idaho for the year 1925 be, and the same hereby is, amended to read as follows:

SEC. 8. Every creamery, milk plant, shipping or cream buying station, milk condensing plant, cheese factory, ice-cream factory, reprocessing plant, casein plant, powdered-milk plant, or factory of milk products, or other person receiving or purchasing milk or cream in bulk other than a retail vendor of milk on the basis of the amount of the milk-fat therein, shall annually obtain a license therefor. Such license shall be issued by the department upon being satisfied that the building, places, or premises where such milk or dairy products is to be received or purchased is maintained in a sanitary manner and upon payment of such license fee to the department according to the following schedule:

Milk condensary \$50, reprocessing plant \$50, creamery \$25, cheese factory \$10, ice-cream factory \$10, casein plant \$15, milk-powder plant \$15, cream buying or shipping station \$5. When one or more kinds of dairy products are being manufactured by the same firm on the same premises, this shall be construed to require that a separate license be procured for each kind of product manufactured and sold. The license, when issued, shall be posted in a conspicuous place in the plant for which issued.

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Supplement 59 to Public Health Reports, p. 105.
 Supplement 59 to Public Health Reports, p. 103.

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Oleomargarine, Imitation Butter, etc.—Penalty for Violation of Law Relating to Sale, Labeling, and Use of. (Ch. 28, Act February 17, 1927)

Section 1. Any person, firm, corporation, or other organization, foreign or domestic, or any officer, agent, or receiver of any firm, corporation, or other organization or any member of the same, or any individual violating any of the provisions of sections Nos. 1732 and 1733 of the Compiled Statutes of Idaho, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$500 for each offense or by imprisonment in the county jail not to exceed six months, or by both such fine and imprisonment, and, if a corporation, may have its charter or permit to do business in this State forfeited.

Cannabis Sativa—Growing, Cultivation, Possession, Sale, and Dispensing. (Ch. 105, Act March 1, 1927)

Section 1. It shall be unlawful to grow, cultivate, have in possession, to sell, give, or offer to sell or give, within the State of Idaho, Cannabis sativa, otherwise known as Cannabis indica, Indian hemp, American hemp, or Marihuana, or any preparation thereof in a form capable of internal admin stration: Provided, That it shall be lawful for regularly licensed retail pharmacists of physicians, and wholesalers, manufacturers, and jobbers to have in their possession and to sell the above named herbs or preparations thereof to each other, and for regularly licensed retail pharamacists to dispense preparations of the same in a form unfit for internal administration.

Any person violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$100 and not more than \$250 or by imprisonment in the county jail for not

more than six months or by both such fine and imprisonment.

Cattle—Quarantine of, When Owner or Caretaker Refuses to Permit Application of Tuberculin Test. (Ch. 56, Act February 24, 1927)

Section 1. The director of the Idaho bureau of animal industry, or any deputy of such bureau, shall have the power to place any cattle under quarantine when any owner or caretaker of such cattle shall refuse to permit the tuberculin test to be applied to such cattle in the manner provided in chapter 146° of the Idaho Session Laws for 1923. The notice of quarantine shall be in writing and any cattle described therein shall not be transported or moved in any manner from the premises described in the quarantine notice. It shall be unlawful to sell, give away, offer for sale or transport any milk or milk products produced from the cattle described in such notice of quarantine. Such director or his deputy shall furnish one copy of the quarantine notice to the owner or caretaker of the cattle; the original of which notice shall be placed in the hands of the sheriff of the county in which such cattle are situated, and it shall be the duty of the sheriff to enforce the quarantine in accordance with such notice. The quarantine shall be removed whenever a satisfactory test has been made of the cattle described in said notice.

Sec. 2. Any person who shall violate any provisions of such quarantine shall be guilty of a misdemeanor.

Cattle Destroyed Because Tuberculous—Indemnity for—Appraisal. (Ch. 55, Act February 24, 1927)

SECTION 1. That section 3 of chapter 158 of the Session Laws of 1923 of the State of Idaho be and the same is hereby amended to read as follows:

SEC. 3. When cattle are destroyed on account of tuberculosis as herein provided, compensation may be paid to the owner of such animals as provided by law: Provided, however, Such animals so destroyed shall be appraised at an amount equal to one and one-half times the assessed valuation of such animals for the year in which same are destroyed: And provided further, That in no case shall the State pay more than \$25 for a grade animal nor more than \$50 for a registered purebred animal.

<sup>Supplement 49 to Public Health Reports, p. 121.
Supplement 49 to Public Health Reports, p. 122.</sup>

Public Buildings and Schools—Sanitary Inspection—Abatement of Insanitary Conditions at Schools. (Ch. 65, Act February 25, 1927)

SECTION 1. That section 1658 of chapter 70 of the Idaho Compiled Statutes be

and the same is hereby amended to read as follows:

SEC. 1658. Sanitary inspection of public buildings and schools,-It shall be the duty of all county boards of health to provide for the examination by the secretary into the sanitary condition of all county buildings and jails and other public institutions, at least once every year, before the 1st day of May, and as near said day as may be practicable, and such examining officer shall file a complete report within 16 days after said 1st day of May, with the department of public welfare. It shall also be the duty of all county boards of health to provide promptly for the examination by the secretary into the sanitary and usable condition of any school building, school site, school outbuilding, or school drinking water supply in the county, upon a request for such examination by the county superintendent of public instruction. The examining officer shall file a complete report within 15 days after such examination of any school building, school site, school outbuilding, or school drinking water supply with the department of public welfare. Upon the receipt of the report that any school building, school site, school outbuilding, or school drinking water supply is unfit for use on account of insanitary or other improper conditions, it shall be the duty of the department of public welfare to condemn said school building, school site, school outbuilding, or school drinking water supply, and report the same to the county superintendent. It shall be the duty of the county superintendent immediately upon the receipt of such report of the condemnation of any school building, school site, school outbuilding, or school drinking water supply, to notify the board of trustees of such report, and if in vacation time that school must not commence or be held in the district until such insanitary condition is abated, and if during the time when school is in progress, that school must cease to be held within such district unless at the expiration of 20 days after such notice by the county superintendent, the insanitary condition complained of shall have been abated.

Sewers, etc.—Municipalities Authorized to Create Local Improvement Districts for Construction of. (Ch. 257, Act March 15, 1927)

Sec. 3. Powers conferred.—In addition to powers now granted by law to municipalities, every municipality in this State is hereby authorized and empowered to create local improvement districts and within the boundaries of such districts:

To purchase, build, construct, or reconstruct sewers, ditches, drains, conduits, and channels for sanitary and drainage purposes, or either or both thereof, with outlets, cesspools, manholes, catch basins, flush tanks, septic tanks, and all other sewer appurtenances necessary for the comfort, convenience, health, and well-being of the municipality, and to that end may acquire by purchase, gift, condemnation, or otherwise, and may own and possess such real or personal property within or without the limits of the municipality as in the judgment of the council may be necessary and convenient for such purpose; provided that all improvement districts for the purposes stated in this paragraph shall be so constructed as to conform to the requirements of the topography of the land; and to levy a special assessment on the lands and parcels of land fronting, abutting, contiguous, or tributary to any street so improved and on all property benefited by such improvement.

Barbers—Refusal, Suspension, or Revocation of Certificate of Registration— Use for Barbering of Places Also Used for Residential or Business Purposes—Inspection of and Prescribing of Sanitary Requirements Governing Barber Shops and Schools. (Ch. 245, Act March 14, 1927) felt

Sec. 15. Refusal and revocation of certificate.—The department of law enforcement may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes:

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(3) Continued practice by a person knowingly having an infectious or contagious disease;

- (5) Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs;
- (7) The commission of any of the offenses described in section 18, subdivisions 3, 4, and 6.
- SEC. 18. Certain acts prohibited.—Each of the following constitutes a misdemeanor, punishable upon conviction by a fine of not less than \$25, nor more than \$200:
- (6) The use of any room or place for barbering which is also used for residential or business purposes (except the sale of hair tonics, lotions, creams, cutlery, toilet artic.es, cigars, tobacco, confectionery, and such commodities as are used and sold in barber shops), unless a substantial partition of ceiling height separates the portion used for residential or business purposes.
- SEC. 23. Inspection rules.—Inspection of barbers and barber shops for the purpose of enforcing the provisions of this act shall be made by the department of public welfare. The department of law enforcement shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary requirements for barber shops and barber schools, subject to the approval of the department of public welfare, officers of which, or their agents, shall have authority to enter upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations adopted by the department of law enforcement shall be furnished by the said department to the owner or manager of each barber shop and barber school, and such copy shall be posted in a conspicuous place in such barber shop or barber school.

Noxious Weeds-Destruction. (Ch. 204, Act March 11. 1927)

[Sections 1 to 4 of this act amend, respectively, sections 3493, 3495, 3496, and 3499 of the Compiled Statutes, 1919, to read as follows:]

SEC. 3493. Creation of weed extermination area; order.—It shall be the duty of the board of county commissioners of every county in the State to issue an order on or before the 1st day of March of each year declaring and specifying the kinds of noxious weeds that are detrimental or destructive to the interests of the county, and calling for their destruction. By such order they shall fix the manner for the destruction of such weeds, and the area wintin which they must be destroyed. Such order must be complied with on or before such date as the board may fix in said order.

SEC. 3495. Destruction of weeds in highways.—It shall be the duty of county highway districts, good roads districts or State highway districts to destroy all noxious weeds of the kind included in the order on the roads and highways under their jurisdiction, within the time fixed by the notice provided for in section 3494.

Sec. 3496. Abatement of weeds within extermination area.—After the expiration of the time fixed in said order it shall be the duty of the board of county commissioners to proceed at once to destroy all such noxious weeds, mentioned in said order, that still remain growing, in the area named in section 3493, and for that purpose they shall have the right, either by them or by their order, to enter upon the premises of another, and they shall have the right to employ such help and purchase such materials as may be necessary to complete eradication and the cost of such additional help and material used in eradication together with the r own compensation, as now fixed by law, shall be immediately paid in cash or levied as a tax against the property or land upon which such labor is performed. Or in case the labor and materials are used for the eradication of the noxious weeds, defined in said order, on a private right of way for an irrigation or drainage ditch, road, or other purposes enjoyed by a person or persons not holding a deed thereto, the cost of such labor and material shall be collected immediately in cash, or levied as a tax against the property or prop-

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erties enjoying the right of way. In case there is more than one property upon which the cost of eradication is to be levied, such cost shall be prorated according to the benefits derived from the right of way upon which eradication has

been performed.

SEC, 3499. Abatement of weeds on right of way.—Every person, company, or corporation owning or operating any canal, railroad, or irrigation system within an area within which noxious weeds must be destroyed as provided in section 3493 shall, within the time fixed by the order of the board of county commissioners, destroy all noxious weeds of the kinds included in the order of the board of county commissioners of the county in which any portion of such canal, railroad, or irrigation system is located, and in the event that such weeds are not so destroyed the board of county commissioners of such county shall cause the same to be done and the cost of the destruction of any and all such weeds shall be assessed against such property as general taxes and be collectible the same as other taxes.

Sec. 5. Penalty for failure to comply.—Any person, association, or corporation failing to comply with any of the provisions of sections 3495 and 3499 of the Idaho Compiled Statutes as amended by this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, and costs of prosecution, for each separate

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Poliomyelitis—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Placarding—Quarantine—Isolation—Disinfection—Removals—Prevention of Spread in Schools—Sale, Handling, and Delivery of Milk and Other Food—Burial—Funerals. (Reg. Dept. of Public H., Effective July 1, 1927)

Rule I. Definitions.—For the purpose of these rules on acute anterior poliomyelitis, the following shall be the accepted definitions when used herein:

1. Case.—By a case of acute anterior poliomyelitis is meant a single instance

or example of the disease.

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(a) Typical case.—A typical case is one which shows the usual signs and symptoms of acute anterior poliomyelitis and follows the usual course of this disease.

(b) Atypical case.—An atypical case is one which does not show the usual signs and symptoms of acute anterior poliomyelitis nor follow the usual course of this disease.

(c) Missed case.—By missed cases we understand mild or atypical instances

of this disease which are not recognized clinically.

2. Carrier.—A person who, without symptoms of a communicable disease,

harbors and disseminates the specific microorganism.

- (a) Incubatory carrier.—When an infectious agent is found on a person having no clinical manifestations of the disease—who develops the disease within the incubation period after this finding, such person is an incubatory carrier.
- (b) Convalescent carrier.—When an infectious agent is found on a person having no clinical manifestations of the disease—soon after having had the disease, the person is a convalescent carrier.

(c) Direct contact carrier.—When an infectious agent is found on a person having no clinical manifestations of the disease—who has been in direct con-

tact with a case of the disease, the person is a direct contact carrier.

(d) Remote contact carrier.—When an infectious agent is found on a person having no clinical manifestations of the disease—and who has had no contact with an active clinical case of the disease, the person is a remote contact carrier.

3. Contact.—A contact is any person known to have been sufficiently near to an infected person to have been exposed to transfer of infectious material directly, or by articles freshly soiled with such material.

4. Susceptible or nonimmune.—A susceptible or nonimmune is a person or animal who is not known to have become immune to acute anterior poliomyelitis

by natural or artificial process.

5. Isolation.—By isolation is meant the separating of a person or persons suffering from acute anterior poliomyelitis, or carriers of the infecting organism, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

6. Quarantine.—By quarantine is meant the limitation of freedom of movement of any person or animal who is sick with or has been exposed to acute anterior poliomyelitis and of all persons and objects on premises capable of spreading infection, for the definite period of time as stated in these rules.

7. Disinfection.—By this is meant the destroying of vitality of pathogenic

microorganisms by chemical or physical means.

(a) When the word "concurrent" is used as qualifying disinfection, it indicates the application of disinfection immediately after the discharge of infectious material from the body of an infected person, or after the soiling of articles with such infectious discharges, all personal contacts with such discharges or articles being prevented prior to their disinfection.

(b) When the word "terminal" is used as qualifying disinfection, it indicates the process of rendering the personal clothing and immediate physical environment of the patient free from the possibility of conveying the infection to others, at the time when the patient is no longer a source of infection.

(c) Approved disinfecting solution.—Formaldehyde, 5 per cent; cresol, 3 per cent; bichloride of mercury, 1:1,000 solution; or other chemical solutions having a disinfecting strength equal to 5 per cent phenol (carbolic acid).

(d) Disinfesting.—By disinfesting is meant any process, such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, etc., by which insects and animals known to be capable of conveying or transmitting infection may be destroyed.

8. Cleaning.—This term signifies the removal by scrubbing and washing, as with hot water, soap, and washing soda, of organic matter on which and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

9. Renovation.—By renovation is meant in addition to cleansing such treatment of the walls, floors, and ceilings of rooms or houses as may be necessary to place the premises in a satisfactory sanitary condition.

10. Delousing.—By delousing is meant the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of Pediculus corporis or Pediculus capitis survive.

11. Fumigation.—By fumigation is meant a process by which the destruction of bacteria and insects, as mosquitoes and body lice, and animals, as rats, is accomplished by the employment of gaseous agents.

12. Education in personal cleanliness.—This phase includes all the various means available to impress upon all members of the community young and old, and especially when communicable disease is prevalent or during epidemics, by spoken and printed word, and by illustration and suggestion, the necessity of—

(a) Keeping the body clean by sufficiently frequent soap and water baths.
 (b) Washing hands in soap and water after voiding bowels or bladder and always before eating.

(c) Keeping hands and unclean articles or articles which have been used for toilet purposes by others away from mouth, nose, eyes, ears, and vagina.

(d) Avoiding the use of common or unclean eating, drinking, or toilet articles of any kind, such as towels, handkerchiefs, hairbrushes, drinking cups, pipes, etc.

(e) Avoiding close exposure of persons to spray from the nose and mouth, as in coughing, sneezing, laughing, or talking.

13. Local health authority.—The term "local health authority" means and includes the health authority having jurisdiction over a particular area and includes city, village, township, and county boards of health and health departments and the responsible executive officer of such boards, and any person legally authorized to act for such health authority.

14. Report of a disease.—By report of a disease is meant the notification to the health authorities, and, in the case of communicable disease in animals, also to the department of agriculture, that a case of communicable disease exists in a specified person or animal at a given address.

RULE II. Reports.—1. Every physician, attendant, laboratory, parent, householder, or other person having knowledge of a known or suspected case of acute anterior poliomyelitis shall immediately report such known or suspected case of acute anterior poliomyelitis in writing or by telephone to the local health authority. Every case reported by telephone shall be followed by a written report within 12 hours.

(a) If the municipality has no health officer, reports must be made to the mayor of the city, president of the village, or the official designated by ordinance to receive the same.

(b) Cases occurring in the territory outside of the limits of a municipality must be reported to the person designated by the rules of the township or the county board of health to receive such reports, or, if there be no such person designated, reports must be made to the supervisor of the township, or, in counties not under township organization, to the chairman of the board of county commissioners.

2. Every case of acute anterior poliomyelitis developing on the premises subsequent to the first reported case shall likewise be reported.

3. Upon receipt of such report the local health authority shall within 12 hours forward a copy of the same to the Illinois Department of Public Health, Springfield.

4. The physician attending a case of acute anterior poliomyelitis shall notify the family and patient as to the nature of the disease and isolate the patient or instruct the family to do so, and not permit children to attend school. He shall also warn the family not to permit milk bottles or containers to be returned to the milknan. The attending physician shall do all of these things as soon as he makes a diagnosis or suspected diagnosis of acute anterior poliomyelitis.

5. Whenever any school child, teacher, or other person employed on school premises has been in contact with, exposed to, or is suffering from acute anterior poliomyelitis, it shall be the duty of the local health authorities to immediately report such facts to the school authorities of the school or schools

concerned.

6. Every reported case or suspected case of acute anterior poliomyelitis involving any person, either as a case, contact, or exposure, who is engaged in the handling of milk or milk products, shall be promptly reported by the local health authority to the employer of such person in order that the necessary precautions may be taken to safeguard other employees and the public.

7. Any known or suspected case of acute anterior poliomyelitis occurring on a dairy farm shall be immediately reported by telegraph or telephone to the

Illinois Department of Public Health.

8. The written reports of a known or suspected case of acute anterior poliomyelitis required by these rules shall set forth at least the following information:

(a) Place and date of report.

(b) Name, exact address, age, sex, color, and occupation of the patient.

(c) Number of children and adults in the household.

(d) School attended or place of employment.(e) Probable source of infection or origin of disease.

(f) Date of onset of illness.

(y) Name and address of person making the report.

Rule III. Placarding.—1. Whenever a case of acute anterior poliomyelitis is reported to the local health authorities, they shall affix at the outside of all entrances to the building, house, or flat, as the case may be, a red warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold-faced type at least the following: "Acute anterior poliomyelitis" in type not less than 1½ inches in height, and "Keep out," "Remove no milk containers" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type, "All persons who violate these rules subject themselves to a fine of not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

2. In cases reported as "suspects," the placard may bear the words "Quarantine-Keep out." When a diagnosis is made, this placard shall be replaced by the proper placard for the disease in question in accordance with the rules

covering such disease.

3. This warning card shall not be concealed from public view, shall not be mutilated or defaced and shall remain posted on the quarantined premises until

removed by the local or State health authorities.

Rule IV. Quarantine.-1. In cases of acute anterior poliomyelitis quarantine of the patient must be maintained for a minimum period of three weeks dating from the onset of the disease, and until all abnormal discharges from nose have entirely ceased.

2. Excepting as hereinafter provided, no one other than the attending physician, minister of the gospel, and the local or State health authories shall enter or leave the quarantined premises until the warning cards have been removed and isolation and quarantine has been officially terminated. All persons who continue to reside on the quarantined premises must be confined thereto until the quarantine has been terminated unless otherwise specified in these rules.

3. The patient and the necessary nursing attendant shall be effectively confined in a well-ventilated room which shall be free from unnecessary furnishings and effectively screened against flies. Arrangements must be made to supply them with food and other necessities. All articles which it is necessary to take from the sick room must be thoroughly disinfected immediately upon removal by boiling for 30 minutes or by immersion for one hour in a 5 per cent solution of carbolic acid or a 2 per cent cresol solution.

4. Suspected cases of acute anterior poliomyelitis shall be quarantined in the same manner as known cases of the disease until such time as diagnosis is established. If the diagnosis is other than acute anterior poliomyelitis the case shall be handled in accordance with rules governing the disease of which the diagnosis is made.

5. All children who continue to reside on the infected premises shall be held under close observation for at least two weeks following termination of the last case on the premises.

6. All children under 16 years of age who have been exposed to a case of acute anterior poliomyelitis shall be quarantined for two weeks as acute

anterior poliomyelitis exposures.

7. Children of the family may be removed from the quarantined premises, upon permission of the local health officer, after thorough disinfection of person and clothing. Such children may be removed only to premises upon which none but adults and nonsusceptible children reside and must be confined to the premises (in the house) for two weeks from date of removal, where they shall be isolated with appropriate placarding, "Quarantined—Keep out," during which period they must be kept under close observation, and no children shall be permitted to visit or otherwise come in contact with them during this period.

8. Adult members of the family may be removed from the infected premises, upon permission granted by the local health authorities, and after thorough disinfection of person and clothing, provided that they do not again enter the quarantined premises or come in contact in any way with patient or attendant. Such adults, except school-teachers, milkmen and other food handlers, may go about their necessary business. School-teachers, milkmen, and all handlers of food products must not return to their usual occupations for two weeks after such removal.

RULE V. Quarantine of store or place of business.—Whenever a case of acute anterior poliomyelitis occurs on premises connected with any store or place of business, such store or place of business shall be quarantined until the case is terminated by removal, recovery, or death and the store and living quarters have been disinfected under the supervision of the local health authority; provided, however, that if the premises are so constructed that the part in which the case exists can be and is effectively sealed from the store or place of business, under the supervision of the local health authority, and provided that the employees and all other persons connected with the store or place of business do not enter that part of the premises where the case exists and do not come in contact with the patient, attendant, or any article whatsoever from the quarantined premises, such store or place of business may be conducted as usual.

RULE VI. Termination of quarantine.—1. Quarantine shall not be terminated until the following conditions exist:

(a) Following the death of the patient or the removal of patient to a hospital, children under 16 years of age remaining on the premises shall be quarantined for two weeks as acute anterior poliomyelitis exposures. If at the end of this period they show no evidence of illness, quarantine of the premises may be terminated.

(b) When patient residing on the premises has been in quarantine for a minimum period of three weeks, temperature is normal, and all abnormal discharges have ceased, and if other inmates of the quarantined premises show no evidence of illness quarantine may be raised.

2. When the prescribed conditions for termination of quarantine exist, quarantine may then be terminated by the local health authorities unless the attending physician requests otherwise. No one but the local and State health authorities or their duly authorized representatives shall have authority to terminate quarantine.

3. Before release from quarantine all persons recovered from acute anterior poliomyelitis, attendants, contacts, and exposures, shall disinfect their person and clothing in the manner approved by the Illinois Department of Public Health, as set forth in its rules.

RULE VII. Removals.—1. No case of acute anterior poliomyelitis, contact or exposure shall be removed from any house, building, or vessel in which quarantine is in force to any other premises in the same health jurisdiction, except by permission of the local health authority or the Illinois Department of Public Health. Exposures may only be removed in accordance with the provisions of Rule IV. Any such authorized removal of an acute anterior poliomyelitis patient shall be made by private conveyance and with the exercise of extreme care to prevent the spread of the disease.

2. No acute anterior poliomyelitis patient shall be removed from one health jurisdiction to another except by authority of the local health authorities from

which and to which removal is desired. Notification of such removal, giving the name and address of patient before and after removal, should be sent immediately thereafter to the Illinois Department of Public Health Where patient desires to move to another State, permission should first be obtained from the Illinois Department of Public Health and the health authorities of State to which removal is desired, as well as from the local health authorities. All authorized removals shall be effected by private conveyance and under the personal direction of a physician or medical health officer or his duly authorized representative who shall exercise extreme care to prevent the spread of the disease, including disinfection of conveyance.

RULE VIII. Duties of school authorities .- 1. Whenever a known or suspected case of acute anterior poliomyelitis involves any pupil, teacher, or employee of any public, parochial, private, or other school, either as a case, contact, or exposure, it shall be the duty of the person or persons in charge of such school inmediately upon knowledge of this to take or cause to be taken the following precautions to prevent the spread of infection in the school and notify the local

health authorities regarding same.

2. In any such case it shall be the duty of the responsible school authority, officer, or teacher to cause an investigation to be made under direction of local health authority by persons competent to do so of all school pupils, teachers, and employees who may have been exposed to the infection, and the school board or authorized representative of the school board shall promptly take such action as is necessary to prevent contact between possible infection carriers

and other persons in the schools.

3. The school superitendent, principal, or other person in charge of any private, public, parochial, or Sunday school shall exclude therefrom any pupil, teacher, or other employee suffering from acute anterior poliomyelitis or exposed to same until such pupil, teacher, or employee shall have presented a certificate issued by the local health authority if he be a physician, or by the attending physician countersigned by the local health authority or his duly authorized agent certifying that the provisions of Rule IV have been complied with and there is no danger of such pupil, teacher, or employee conveying acute

anterior poliomyelitis.

Rule IX. Control of milk on quarantined premises.—1. When acute anterior poliomyelitis appears on premises where milk and milk products are produced, handled, or sold, the sale, exchange, removal, or distribution, in any manner whatsoever, of any milk, cream, or milk products produced or handled on such premises is strictly prohibited until quarantine has been terminated and the premises and contents, including all milk utensils, have been disinfected under the supervision of the local health authorities: *Provided*, That in the event of acute anterior poliomyelitis occurring on a dairy farm, the local health authority or the Illinois Department of Public Health may grant permission for the removal of the livestock only to other premises. When milch cows are so removed they may be milked and the products may be sold, provided that neither persons nor utensils from the infected premises are employed in the milking and in the handling of the product.2

2. Milk from premises in other States where the period of quarantine is less than the required period in Illinois may not be received in Illinois, until the

provisions of these rules have been fully complied with.

3. When in the judgment of the local health authorities there is an outbreak of acute anterior poliomyelitis suspected of being caused by milk, they shall temporarily require that all milk be pasteurized in that community.

4. When acute anterior poliomyelitis becomes or threatens to become epidemic in any community the local health authorities shall urge upon the residents thereof that all milk be pasteurized before using.

Rule X. Delivery of milk, foodstuffs, and the other necessities to quarantined premises.-1. Milk, foodstuffs, and other necessary supplies may be delivered

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¹ Schools should not be closed except in the event of a great emergency and then only after the approval of the Illinois Department of Public Health for such closing has been obtained. When the schools are closed a supplementary order should be issued by the local health authority requiring that all school children shall remain upon their own premises. It is folly to close the schools and permit the pupils to mingle in the streets or in public or private gatherings.

² Where county or municipal dairy inspectors learn that milk, excluded from one market because of acute anterior poliomyelitis on a dairy farm, is being diverted to some other city or community and sold, such dairy inspectors are authorized to stop such sale of milk and are requested to telegraph such information at once to the Illinois Department of Public Health.

at quarantined premises provided that there be no contact of any kind between

inmates of the quarantined premises and the delivery agent.

2. Unless milk is delivered in bottles the hou eholder shall place a thoroughly clean container (freshly scalded container or pail), to receive the milk at some convenient place outside the house out of reach of dogs or cats. The milkman shall place the milk therein without handling the receiving container. No milk bottle, basket, or any other article whatsoever may be taken out of or away from the quarantined premises during the period of quarantine. Before milk bottles are removed from the premises after quarantine is raised, they must be sterilized by boiling under the direction of the local health authorities.

RULE XI. Concurrent or bedside disinfection .- 1. All discharges from the nose and mouth of the patient shall be received in cloths or papers which should be burned immediately after such usage. If necessary to remove such cloths or papers from sick room for burning, they should be deposited in a paper bag and

taken direct to the furnace and burned.

2. All discharges from the bowels and bladder or any vomited matter should be disinfected by the addition of a quantity of the standard solution of chlorinated lime, (chloride of lime or bleaching powder), or creolin sufficient to more than cover the discharges, or if the discharges are liquid add a quantity equal in bulk. The mass formed should be thoroughly stirred and the vessel with contents should be allowed to stand at least one-half hour before emptying.

3. The discharges should never be emptied on the ground or into a stream, After thorough disinfection they may be emptied in the sewer system, or if no such system exists, as in rural districts, they should be buried at least 1 foot below the surface of the ground and not closer than 150 feet to any well or other source of water supply. If deposited in any outhouse, they must first be disinfected and the contents of the privy vault must be sprinkled daily with crude oil or kerosene or other approved solution or substance employed for the purpose of repelling flies.

4. Every article removed from the sick room shall be disinfected or sterilized immediately upon removal. Clothing, bedding, and dishes should be disinfected by immersion for one hour in a 5 per cent solution of carbolic acid or a 2 per cent cresol solution. Fabrics that will be injured by boiling or by fluid disin-

fection may be disinfected by fumigation with formaldehyde gas.

5. While in the sick room the attendant shall wear washable outer garments which, upon leaving the sick room, shall be immediately removed and placed where others may not come in contact with them. The hands shall be thoroughly washed after each handling of the patient or of any article which may have been contaminated by the patient and when leaving the patient's room.

6. Floors, furniture, and woodwork should be wiped up daily with a disinfecting solution. The room should be free from carpets, draperies, and other

unnecessary furnishings.

RULE XII. Terminal disinfection.—1. Fumigation: If Rule XI has not been complied with at the discretion of the local health officer, fumigation shall be done in the manner prescribed by the Illinois Department of Public Health,

2. Chemical disinfection: When in the opinion of the local health officer chemical disinfection is to be substituted for fumigation, it shall be done in accordance with the instructions of the Illinois Department of Public Health.

3. Cleansing: All grossly contaminated material shall be destroyed, except that which can be and is disinfected by heat or chemicals. The floors and woodwork shall be scoured with hot water and soap. The rooms shall then be sunned and aired for a period of at least one day.

4. Renovation: Renovation such as removal of wall paper may be required at

the discretion of the local health officer.

5. Very badly soiled library and school books shall be destroyed. Others may

be cleaned and sunned and returned to use.

RULE XIII. Deaths and burials.-1. Disposal of the body of anyone dead from acute anterior poliomyel'tis shall be effected within 48 hours after death, unless body is properly embalmed. The undertaker or person acting as such shall wash the body with an approved d'sinfecting fluid and close all orifices with absorbent cotton. The body shall then be placed in the casket or coffin which shall be immediately closed. The casket may then be removed from the room in which the patient died to the room prepared for it. The coffin shall either be sprayed or washed with a bichloride 1:1,000 solution or other disinfectant solution of equal strength before being removed from the premises. The coffin or casket shall be air-tight and permanently sealed and must not be

opened under any pretext whatsoever; provided, however, that a plate of glass of sufficient size to disclose the face of the decedent may be fitted into the coffin cover in such manner as to be air-tight and nonremovable.

2. Prior to the removal of the body, the undertaker or person acting as such

shall secure a burial permit from the local registrar of vital statistics.

3. Public and church funerals are positively prohibited. No person whose attendance is not necessary for the conduct of the funeral shall be permitted to

enter the premises where the death occurred.

4. Any adult member of the immediate family who shall have been exposed to the disease prior to such funeral and whose clothing and person have first been disinfected may attend the funeral, but must return to quarantined premises immediately thereafter. Other persons desiring to follow the remains to the grave may do so, provided that they do not enter the vehicles occupied by persons who have entered or come from such premises.

5. When the body of anyone dead from acute anterior poliomyelitis is to be transported within the State of Ill nois, by railroad or other common carrier, the official rules of the Illinois Department of Public Health for the transportation of the dead must be observed in all points not in conflict with these rules.

Penalty for violation of these rules.—Any person who violates or refuses to obey any rule or regulation of sa'd State board of health shall be liable to a fine not to exceed \$200 for each offense or imprisonment in the county jail not exceeding six months, or both, in the discretion of the court. (Ch. 111½, par. 24, Smith-Hurd Illinois Revised Statutes, 1925.)

Effective date.—All provisions of previous rules and regulations for the control of acute anterior poliomyelitis in conflict with the foregoing are hereby

annulled.

These rules shall be in force and effect on and after July 1, 1927.

Smallpox—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Placarding—Investigations by Local Health Authorities—Quarantine—Isolation—Disinfection—Contacts—Removals—School Attendance—Sale, Handling, and Delivery of Milk and Other Food—Burial—Funerals. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations except that paragraph 5 is changed and paragraphs 15 and 16 added. Smallpox is substituted for poliomyelitis. Paragraphs 5, 15, and 16 are as follows:]

5. Isolations.—By isolation is meant the separating of a person or persons suffering from smallpox, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious

agent to susceptible persons.

15. Vaccination.—By vaccination is meant the inoculation of a person with the virus of cowpox for the purpose of communicating that disease as a prophylactic against smallpox and the test of its success is the appearance of the symptoms of the disease particularly those which manifest themselves upon the skin.

16. Immunity reaction.—By immunity reaction is meant the local redress and associated phenomena which may follow one to three days after the act of attempted vaccination and which terminates one to three days prior to the day on which the true vaccination reaction is due and which indicates that the individual is immune to the disease against which vaccination was attempted. Such immunity reaction proves that the individual is already immune by reason of a prior attack of the disease or vaccination or by immunization otherwise induced.

RULE II. Reports .-

[Paragraphs 1 to 5, inclusive, are the same as paragraphs 1 to 5 of Rule II of the poliomyelitis regulations.]

The written report of a known or suspected case of smallpox required by these rules, shall set forth at least the following information.

(a) Place and date of report.

(b) Name, exact address, age, sex, color, and occupation of the patient.

(c) Number of children and adults in the household.

(d) School attended or place of employment.

(e) Probable source of infection or origin of disease.

(f) Date of onset of illness; date of eruption.

(g) Type of smallpox and number of times successfully vaccinated and approximate dates.

(h) Name and address of person making the report.

RULE III. Placarding.—1. Whenever a case of smallpox (variola, modified smallpox, or varioloid) is reported to the local health authority, he shall affix at the outside of all entrances to the building, house, or flat, as the case may be, a red warning card not less than 6 by 10 inches in size, on which shall be printed in black bold-face type, at least the following: "Smallpox," in type not less than 1½ inches in height, and "Keep out" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type "All persons who violate these rules subject themselves to a fine of not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

2. In cases reported as "suspected smallpox" the placard may bear the word "Suspected" before the word "Smallpox" and all nonimmune contacts on premises should be vaccinated at once. When a diagnosis is made, this placard shall be replaced by the proper placard for the disease in question in

accordance with the rules covering such disease.

3. Premises upon which contacts or persons exposed to smallpox reside shall be placarded in manner as above set forth with a white card printed in type of the prescribed kind and size, reading "Quarantine—Keep out."

4. This warning card shall not be concealed from public view, shall not be mutilated or defaced, and shall remain posted on these premises until removed

by the local or State health authorities.

5. At the time of placarding the premises the local health authorities shall inform a responsible inmate of the premises of the rules and regulations to be observed.

6. The local health authorities shall make diligent investigation as to the source or sources of infection of all cases reported to them. If the source or probable source of infection is discovered, the Illinois Department of Public Health shall be immediately apprised of such source. However, in no case shall the original report of a case of smallpox be delayed by reason of such investigation.

RULE IV. Quarantine.—1. In cases of smallpox, (variola, modified smallpox, or varioloid), quarantine of the patient must be maintained for a minimum period of three weeks dating from the onset of the eruption and until all the scabs have disappeared and "seeds" from the palms of the hands and soles of the feet have either disappeared or have been removed and all sores are

completely healed.

2. Excepting as hereinafter provided, no one other than the attending physician, minister of the gospel, and the local or State health authorities, or the duly authorized representatives of such authorities, and only when these are successfully vaccinated, shall enter or leave the quarantined premises until the warning cards have been removed and quarantine has been officially terminated. All persons who continue to reside on the quarantined premises must be confined thereto.

3. The smallpox patient shall be isolated in a well-ventilated room which shall be free from unnecessary furnishings and effectively screened in season against flies. All articles which it is necessary to take from the sick room must be thoroughly disinfected immediately upon removal by boiling or by immersion for one hour in a 5 per cent solution of carbolic acid or a 2 per cent

cresol solution.

4. Suspected cases of smallpox shall be quarantined in the same manner as known cases of the disease until such time as a diagnosis is established. If the diagnosis is other than smallpox, the case shall be handled in accordance

with rules governing the disease of which diagnosis is made.

5. The handling of contacts of smallpox will depend upon whether they are immune or nonimmune. In order to be considered immune a person must have had the disease, or must have been successfully vaccinated with fresh cowpex vaccine within five years, and evidence of same must be satisfactory to the health officer, or such person must have a vaccination within 48 hours following first exposure, which takes promptly.

6. Nonimmune contacts in the same household with patient and not vaccinated successfully following exposure must be quarantined in the same manner as a case, and quarantine must be continued for 16 days from date of last exposure

or until 5 days after a "successful vaccination take" is obtained.

7. Nonimmune contacts vaccinated within 48 hours following first exposure may be disinfected and released to live elsewhere provided they are kept under daily medical inspection for 16 days from date of last exposure.

8. Immune contacts in the household may be disinfected and released to live elsewhere, but if they continue to live in the same household they must remain in quarantine until the case is released.

9. No person who has been exposed to smallpox shall be released from quarantine except by local or State health authorities and in the manner approved by

the Illinois Department of Public Health as set forth in these rules.

10. Any exposed person claiming immunity by reason of a prior attack of smallpox shall furnish a certificate or satisfactory evidence to this effect, indicating the date of the previous attack, signed by a physician having personal knowledge of such fact or by the State or local health authority at place where the case existed, or he shall exhibit satisfactory evidence in the form of scars or pocks as proof of such attack.

11. Likewise, any exposed person claiming immunity by reason of a successful vaccination within five years, or two or more unsuccessful attempts at vaccination within five years where there is a typical old scar, shall either submit to vaccination again, or furnish certificate. Said certificate shall indicate date of vaccinations and revaccinations and shall be signed by the physician who performed such vaccinations and in addition such person shall exhibit a charac-

teristic vaccinal scar or scars.

RULE V. Quarantine of store or place of business.—Whenever a case of small-pox occurs on premises connected with any store or place of business, such store or place of business shall be quarantined until the case is terminated by removal, recovery, or death and the store and living quarters have been disinfected under the supervision of the local health authority. Provided, however, that if the premises are so constructed that the part in which the case exists can be and is effectively sealed from the store or place of business under the supervision of the local health authority, and provided that the employees and all other persons connected with the store or place of business are successfully vaccinated and do not enter that part of the premises where the case exists and do not come in contact with the patient, attendant, or any article whatsoever from the quarantined premises, such store or place of business may be conducted as usual.

RULE VI. Termination of quarantine.—Quarantine shall not be terminated

until the following conditions exist:

1. Upon disinfection of premises after death or the removal of the patient to a hospital, all nonimmunes in good health but not yet successfully vaccinated shall be held in quarantine as smallpox exposures for a period of 16 days after such death or removal or at least until five days after a "successful take" has been secured. Immune members of the household may, after disinfection of

person and clothing, go about their usual business.

2. When the last smallpox patient residing on the premises has been in quarantine for a minimum period of three weeks and when all scabs have d'sappeared and the skin is entirely clean, and the "seeds" have disappeared or have been removed from the palms of the hands and soles of the feet, and when all nonimmune members of the househo'd shall have been successfully vaccinated or placed under quarantine as contacts for an additional period of 10 days, or until 5 days after a successful take has been obtained, and none shall furthermore show evidence of illness, quarantine may be terminated.

3. When the prescribed conditions for termination of quarantine exist, the attending physician shall notify the local health authority in writing, certifying that under the provisions of the rules, quarantine may be terminated and requesting that such action be taken. No one but the local and State health authorities or their duly authorized representatives shall have authority to

terminate quarantine.

Rule VII. Removals.—1. No smallpox patient or nonimmune person quarantined on account of exposure to smallpox shall be removed from the house, building, or vessel in which quarantined or found, to any other premises in the same health jurisdiction except by permission of the local health authority or the Illinois Department of Public Health.

2. Likewise, no smallpox patient or nonimmune quarantined on account of exposure to smallpox shall be removed from one health jurisdiction to another except by authority of the Illinois Department of Public Health and on permission of the local health authorities of the jurisdiction from which and to

³The examining physician should be careful to differentiate such scars from those which are the result of chicken pox, acne, or other skin lesions resulting in scarring. Vaccinations should be urged in all such instances.

which removal is desired; provided, however, that whenever a contagious disease hospital maintained by a municipality or county is located in another health jurisdiction from that in which the case is found, the patient may be removed to such contagious disease hospital without first obtaining the permission of the Illinois Department of Public Health. Where patient or nonimmune is to be removed to another State, permission should also first be obtained from the health department of such State as well as from the local health authorities and the Illinois Department of Public Health.

3. All authorized removals shall be effected by private conveyance and under the personal direction of a physician or medical health officer or his duly authorized agent who shall exercise extreme care to prevent the spread of the

disease, including disinfection of conveyance.

Rule VIII. Duties of school authorities.—1. Whenever a known or suspected case of smallpox involves any pupil, teacher, or employee of any public, parochial, private, or other school, either as a case, contact, or exposure, it shall be the duty of the person or persons in charge of such school, immediately upon knowledge of this fact to notify the local health authorities and to take or cause to be taken all such precautions as are necessary to prevent the spread

of infection in the school.

2. The school superintendent, principal or any other person in charge of any private, public, parochial, or Sunday school shall not permit any pupil, teacher, or employee excluded from school on account of smallpox, either as a case, contact, or exposure, to reenter school except on presentation of a certificate stating that they have had smallpox or have been successfully vaccinated within five years or have been recently successfully vaccinated or showed an immunity reaction when vaccinated after exposure. The certificate to be issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or by the school physician or by a physician countersigned by the local health authority or his duly authorized agent. No such certificate shall be issued or countersigned by such authority or his agent until all the requirements of these rules and regulations have been strictly compiled with.

3. The school superintendent, principal, or any other person in charge of any private, public, parochial, or Sunday school shall not permit any non-immune pupil, teacher, or employee of any school who has been exposed to smallpox to reenter school until sixteen (16) days following date of removal or until five (5) days after a successful take is obtained and then only on presentation of a certificate issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or by the school physician or by a physician countersigned by the local health

authority or his duly authorized agent.

[Rule IX is the same as Rule IX of the poliomyelitis regulations except that paragraphs 3 and 4 of the poliomyelitis regulations are omitted.]

[Rule X is the same as Rule X of the poliomyelitis regulations.]

Rule XI. Concurrent disinfection.—1. All discharges from the nose and mouth of the patient shall be received in cloths or papers which should be burned immediately after such usage. If necessary to remove such cloths or papers from the sick room for burning, they should be deposited in a paper bag and taken direct to furnace and burned.

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2. Every article removed from the sick room must be sterilized immediately upon removal. Clothing, bedding, and dishes may be sterilized by boiling or by immersion for one hour in a 5 per cent solution of carbolic acid or a 2 per cent cresol solution. Fabrics that will be injured by boiling or by fluid

disinfection may be disinfected by fumigation with formaldehyde gas.

3. While in the sick room the attendant shall wear washable outer garments which, upon leaving the sick room shall be immediately removed and placed where others may not come in contact with them. The hands shall be thoroughly washed after each handling of the patient or of any article which may have been contaminated by the patient and before leaving patient's room if attendant must leave the room.

⁴ Schools should not be closed except in the event of a great emergency and then only after the approval of the Illinois Department of Public Health for such closing has been obtained. When the schools are closed a supplementary order should be issued by the local health authority requiring that all children attending the school in question shall remain upon their own premises. It is folly to close the schools and permit the pupils to mingle in the streets or in public or private gatherings..

4. Floors, furniture, and woodwork shall be wiped up daily with a disinfecting solution. The room should be free from carpets, draperies and other unnecessary furnishings.

RULE XII. Terminal disinfection .- 1. Fumigation: At the discretion of the local health officer, fumigation shall be done in the manner prescribed by the Illinois Department of Public Health.

[Paragraphs 2, 3, 4, and 5 are the same as paragraphs 2 to 5 of Rule XII of the poliomyelitis regulations.]

RULE XIII. Deaths and burials-

[Paragraphs 1 and 2 are the same as paragraphs 1 and 2 of Rule XIII of

the poliomyelitis regulations.]

3. All undertakers, embalmers or other persons who work for undertaking firms, who come in contact with persons dead from smallpox, shall be quarantined 16 days as required by Rule IV relating to smallpox contacts and exposures, unless immunity has been secured by virtue of a previous attack of smallpox or through successful vaccination within five years or through vaccination made within 48 hours after date of first exposure, provided in the last instance that the vaccinated contact can report or be seen daily until five days following the "successful take" by the health officer or his duly qualified representative.

4. Public and church funerals are positively prohibited. Only successfully vaccinated persons whose attendance is necessary for the conduct of the funeral shall be permitted to enter the premises where the death occurred.

[Paragraph 5 is the same as paragraph 5 of Rule XIII of the poliomyelitis regulations.]

Trachoma—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Isolation—Attendance at Schools and Gatherings—Precautions by Patient-Investigations by Local Health Authorities-Removal of Cases. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations. Trachoma is substituted for poliomyelitis.]

[Rule II is the same as Rule II of the poliomyelitis regulations except that .. paragraphs 4, 5, 6, and 7 of the poliomyelitis regulations are omitted.]

RULE III. Isolation.—1. Unless the person suffering from trachoma is under the care of a physician and complies with the rules governing the control of this disease, he shall be isolated during the persistence of the inflammation of the conjunctiva and discharges therefrom.

2. No person suffering from trachoma in its communicable stage shall be permitted to attend any public, private, or parochial school or any public gathering until there is no longer any discharge from the eyelids.

RULE IV. Minimum precautions to be observed.—At least the following precautions must be observed: Patients must wash their hands frequently and as often as their hands become soiled by discharges from the eyes. An ample supply of towels, basins, water, and an approved disinfectant must always be on hand for the disinfection of the hands of the patient. Soiled cloths or paper may be kept in paper bags until the bag and contents can be destroyed Towels, handkerchiefs, etc., which can not be burned shall be by burning. disinfected by boiling for 20 minutes or immersion for 10 minutes in a 3 per cent cresol solution.

RULE V. Advice to be given to patient and contacts-And by whom.-The local health authority, or his duly authorized deputy, shall advise the patient, the patient's family and other members of the household as to the provisions of these rules, the nature of this disease and the means whereby the spread of infection may be avoided. The attending physician shall also advise the patient as to the nature of this disease and minimum precautions to be observed

by him as set forth in the preceding rule.

RULE VI. Investigation of case.—The local health authority shall make diligent investigation as to the source or sources of infection of all cases of trachoma reported to him. If the source or probable source is discovered, the Illinois Department of Public Health shall be immediately apprised of the facts. However, in no case shall the original report of a case of trachoma be delayed by reason of such investigation.

Rule VII. Removals.—1. No person having trachoma in its communicable stage shall move, or be moved from one health jurisdiction to another without first securing permission to do so from the local health authorities of the place from which and to which removal is to be made, or from the Illinois Department of Public Health. Such permission may be granted under the following conditions:

(1) Removal can and will be made without endangering the health of

others, either in transit or at destination.

(2) Patient agrees to report in person to the local health authority immediately on arrival at destination, or agrees to place sed under the care of a reputable physician who shall report the presence of such patient to the local health authority.

In the event that it is necessary for a patient to go at intervals from one health jurisdiction to another for treatment, the permit issued in accordance with the foregoing provisions may authorize such necessary and frequent removals; one permit and one report to the local health officer at destination

being sufficient under such circumstances.

Rule VIII. Duties of school authorities.—1. The school superintendent or person in charge of any private, public, parochial, or Sunday school shall exclude therefrom any child, teacher, or other person afflicted with trachoma until such child, teacher, or other person, afflicted with trachoma shall have presented a certificate issued by the local health authority, if he be a physician, or by the attending physician, countersigned by the local health authority certifying that such child, teacher, or other person is noninfectious.

Penalty for violation of these rules.—Any person who violates or refuses to obey any rule or regulation of said State board of health shall be riable to a fine not to exceed \$200 for each offense or imprisonment in the county jail not exceed (ing) six months, or both, in the discretion of the court. (Ch.

111½, par. 24, Smith-Hurd Illinois Revised Statutes 1925.)

Effective date.—All provisions of previous rules and regulations for the control of trachoma in conflict with the foregoing, are hereby annulled.

These rules shall be in force and effect on and after July 1, 1927.

Epidemic Meningitis—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Placarding—Quarantine—Attendance at Schools and Gatherings—Hospitalization—Cultures—Removals—Sale, Handling, and Delivery of Milk and Other Food—Disinfection—Burial—Funerals. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations. Epidemic meningitis is substituted for poliomyelitis.]

Rule II is the same as Rule II of the poliomyelitis regulations except para-

graph 6 which reads as follows:]

6. Every reported case or suspected case of epidemic meningitis (cerebrospinal fever, meningococcus meningitis) involving any person, either as the case, or an epidemic meningitis carrier, or a contact or exposure, who is engaged in any business, especially in the handling of m lk or foodstuffs, shall be promptly reported by the local health authority to the employer of such person in order that the necessary precautions may be taken to safeguard other employees and the public.

[Rule III is the same as Rule III of the poliomyelitis regulations except

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paragraph 1 which reads as follows:]

1. Whenever a case of epidemic meningitis (cerebrosp nal fever, meningococcus meningitis) is reported to the local health authority, he shall affix at the outside of all entrances to the building, house, or flat, as the case may be, a red warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold-faced type, at least the following: "Epidemic meningitis (cerebrospinal fever)", in type not less than 1½ inches in height, and "Keep out" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type, "Any person who violates these rules subjects himself to a fine of not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

RULE IV. Quarantine.—1. All persons suffering from epidemic meningitis (cerebrospinal fever, meningococcus meningitis) shall be quarantined as herein provided. Patient must be confined to the building and must not be permitted to come in contact with or hold communication with any other than the attending physician, minister of the gospel, and necessary attendants. The minimum period of quarantine must be maintained until two weeks after

onset of the disease.

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2. The nurse or attendant must remain on the premises. Other adults in the household, if not in contact with the pat ent and if their occupation does not bring them in contact with children or with the handling of food, may be granted a provisional permit by the health officer to enter and leave the

3. Children in the household who are well may be removed to another house-

hold and released after quarantine for 10 days.

4. All children or teachers who continue to live on quarant ned premises during the period of quarantine and who have not been cultured for release must be excluded from school, Sunday school, and other places of public gatherings until one week after the termination of quarantine.

5. All other children and teachers directly exposed shall be placed under observation and control for a period of 10 days from date of last exposure or

until a negative culture has been obtained.

6. Where a case of epidemic meningitis, (cerebrospinal fever, meningococcus meningitis), occurs in a barrack, military camp, dormitory, etc., the case shall be hospitalized. The inmates shall be cultured and held under observation. The amount of floor space of the dormitory shall not be less than 400 square feet, and good ventilation must be maintained. There shall be a distance of at least 5 feet between beds from center to center and double-decked beds shall not be used. The beds shall be so alternated as between head and foot that the occupants shall not sleep with their heads close together: Provided, That the health officer may give permission for the closer placing of beds where there are partitions which separate the head zones of beds. Crowding in mess halls and assembly rooms shall not be permitted. The removal of contacts to new locations and new homes where they can be kept under observation is permitted. [Rule V is the same as Rule V of the poliomyelitis regulations.]

[Rule VI is the same as Rule VII of the poliomyelitis regulations.]

Rule VII is the same as Rule VIII of the poliomyelitis regulations, except that paragraph 2 of the poliomyelitis regulations is omitted.]

[Rule VIII is the same as Rule IX of the poliomyelitis regulations, except that paragraphs 3 and 4 of the poliomyelitis regulations are omitted.]

[Rule IX is the same as Rule X of the poliomyelitis regulations, except that

paragraph 2 of the poliomyelitis regulations is omitted.]

RULE X. Concurrent or bedside disinfection.—1. All discharges from the nose and mouth of the patient shall be received in cloths or papers, which should be burned immediately after such usage or immersed in vessels containing an approved disinfecting solution. If necessary to remove such cloths or papers from the sick room for burning, they should be deposited in a paper bag and taken direct to furnace.

2. Soiled body or bed clothing, eating utensils, and other articles used by the patient or attendants shall be disinfected by boiling or by immersion in an approved disinfecting solution. The disinfection of discharges and of contaminated articles as above provided shall be continued throughout the period

of isolation.

3. When the patient coughs or sneezes a handkerchief or other cloth shall be placed over the face. The nose, lips, cheeks, and hands of the patient shall be

frequently washed and kept scrupulously clean.

4. While in the sick room the attendant shall wear washable outer garments which, upon leaving the sick room, shall be immediately removed and placed where others may not come in contact with them. The hands shall be thoroughly washed after each handling of the patient or of any article which may have been contaminated by the patient and when leaving the patient's room.

5. Floors, furniture, and woodwork shall be wiped up daily with a disinfecting solution. The room shall be free from carpets, draperies, and other unnecessary

furnishings.

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[Rule XI is the same as Rule XII of the poliomyelitis regulations, except that the reference to Rule XI in paragraph 1 of the poliomyelitis regulations is here changed to Rule X.1

RULE XII. Deaths and burials .-

[Paragraphs 1 and 2 are the same as paragraphs 1 and 2 of Rule XIII of the

poliomyelitis regulations.]

3. Church and other public funerals shall not be attended by any person who was in close contact with the case or who comes from the infected premises except they have been proven not to be carriers by nasopharyngeal culture and provided also their clothing and persons have been disinfected. Persons following the remains to the grave shall not enter vehicles occupied by unexposed persons. All persons from the quarantined premises shall return to said premises immediately after the funeral and shall remain there until released by the local health authority.

[Paragraph 4 is the same as paragraph 5 of Rule XIII of the poliomyelitis

regulations.]

Primary Pneumonias, Influenza, and the Pneumonias Complicating Influenza, Measles, and Whooping Cough—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Isolation—Placarding—Disinfection—Laboratory Examinations—Removal of Cases—Prevention of Spread in Hospitals—Funerals—Education of Public. (Reg. Dept. of Public H., Effective July 1, 1927)

RULE I. Definitions .-

[Paragraphs 1 to 14, inclusive, are the same as Rule I of the poliomyelitis

regulations except for the diseases referred to.]

15. Pneumonias: By pneumonia, lobar pneumonia, broncho pneumonia, the pneumonias, lung fever, the primary pneumonias, and complicating pneumonias is meant the acute inflammations of the lung substance due to infection with some one of the pneumococci streptococci or Friedlander's bacillus, with or without a blood-stream infection, with the same organism, the infection and inflammation being either primary or taking place subsequent to an acute coryza or an attack of influenza, measles, or whooping cough.

RULE II. Reports .-

[Paragraphs 1, 2, and 3 are the same as paragraphs 1, 2, and 3 of Rule II

of the poliomyelitis regulations.]

4. The physician attending a case of the pneumonias shall notify the family and patient as to the nature of the disease and isolate the patient or instruct the family to do so. The attending physician shall do this as soon as he makes a diagnosis or suspected diagnosis of pneumonia.

[Paragraph 5 is the same as paragraph 8 of Rule II of the poliomyelitis

regulations.]

Rule III. Placarding.—Whenever a case of the pneumonias is reported, the room in which the case is confined, except it be a hospital ward or room, shall be placarded by the local health authority with a card bearing the words "Pneumonia—Keep out." ⁵

RULE IV. Quarantine of the patient.—1. Any person having pneumonia shall be confined in a large well-ventilated room of proper temperature and humidity as remote from other occupants of the premises as is practical and necessary

to avoid contact. Such room should be screened at suitable seasons.

2. Isolation of a pneumonia case shall be continued either until negative cultures have been secured from the nose and mouth discharges and sputum of the patient and of contacts or the isolation of the patient shall be terminated five days after the patient's temperature has returned to normal and after nose and throat discharges have ceased.

3. No persons other than the necessary medical and nursing attendants shall enter the sick room or come in contact with the patient. Visiting of pneumonia patients by other persons is strictly prohibited, except in cases of actual emergency, and then only when proper precautions are taken to prevent the spread

of infaction

4. When the provisions of these rules are observed, other occupants of the premises who show no evidence of illness, and especially if free from evidence of acute coryza, sore throat, and bronchitis, need not be confined to the premises.

RULE V. Concurrent or bedside disinfection.—1. All discharges from the respiratory tract, mouth, nose, and throat of the patient shall be received in cloths or paper napkins, which shall be burned immediately after using, or immersed in vessels containing an approved disinfecting solution. Spitting of sputum on bed clothing, floors, or furniture is especially dangerous, and must be prevented.

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2. Soiled body or bed clothing, eating utensils, and other articles used by the patient or attendants shall be disinfected by boiling for 15 minutes or by immersion in an approved disinfecting solution. The disinfection of discharges and of contaminated articles as above provided shall be continued throughout the period of isolation.

The size and design of the placard is left to the local health authority.

3. When the patient coughs or sneezes, a handkerchief or other cloth should be placed over the face. The nose, lips, cheeks, and hands of the patient shall be frequently washed and kept scrupulously clean.

4. Immediately after handling the patient or articles contaminated with the patient's secretions the attendant shall thoroughly wash and cleanse the hands.

5. Floors, furniture, and woodwork should be wiped up daily with a disinfecting solution. The room should be free from carpets, draperies, and other unnecessary furnishings.

Rule VI. Bacteriologic diagnosis.—The mouth and nose discharges and sputum of persons having pneumonia and of persons suspected of being pneumococcus carriers should be examined bacteriologically, where facilities are available, to determine the presence of pneumococci and closely related organisms as an aid in the diagnosis or to determine infectivity of a given case or carrier. When pneumococci are found, the type of the organism should be determined. In making cultures and examinations as provided herein, standard methods designated by the Illinois Department of Public Health shall be employed.

Rule VII. Removals.—In cities with a population of 100,000 or more, no person suffering from pneumonia shall be removed from the premises on which found unless consent to such removal be first obtained from the local health authorities or from the Illinois Department of Public Health. No person suffering from pneumonia shall be removed from any city, village, township, or county in which found unless consent to such removal be first obtained from the health authorities of the jurisdictions from which and to which removal is contemplated.

RULE VIII. Hospitals, institutions and dispensaries.—1. Cases of pneumonia shall not be treated in a general ward of a hospital; except when no other adequate quarters are available, they may be treated in cubicles in wards, if a trained attendant and adequate disinfecting facilities are provided, and if every precaution is taken to prevent the spread of infection.

2. Cases of pneumonia under treatment in hospitals shall not occupy beds within 10 feet of cases of heart disease, rickets, Bright's disease, or other conditions which lower the resistance to pneumonia.

 Cases of pneumonia under treatment in hospitals shall not occupy beds in same ward with persons awaiting operation or recently operated upon.

4. Persons convalescent from pneumonia shall not be allowed to visit or be visited by other patients, nor to expose those convalescing from other diseases.

5. Patients with acute coryza, sore throat, or bronchitis should not be operated upon under general anaesthesia except in cases of emergency, nor should others so effected participate in operations.

6. Whenever an unusual number of cases of pneumonia develops in any hospital or institution, all persons in contact with the patients shall be cultured for pneumococci and nearly related organisms and when such organisms are found they should be typed. Persons found to be carriers of such organisms shall not be permitted to come in contact with patients suffering from measles, whooping cough, etc.

7. Whenever the patients or the personnel of a hospital develop an unusual number of cases of acute coryza, sore throat, cough, or bronchitis a report of the fact shall be made to the local health authority.

8. Rules relative to isolation of patients with pneumonia, to concurrent disinfection and to termination of isolation shall apply to patients in hospitals except where otherwise specifically stated in these rules and regulations.

RULE IX. Multiple cases of pneumonia in a household.—When multiple cases of pneumonia occur in a household in which there are bad sanitary conditions, the local health authority shall require that such conditions be corrected and that the patient be removed from contact with other members of the household.

RULE X. Prevention of pneumonia as a complication of measles and whooping cough.—1. In all cases of measles and whooping cough, the patient must be protected against all persons who have acute coryza, coughs, sore throat, or bronchitis, or who otherwise give evidence of ability to infect the patient with pneumonia

2. In multiple cases of measles and whopping cough, the cases shall be isolated in such a way as to prevent the spread of secondary infection with pneumococci or streptococci.

3. Cases of measles or whooping cough complicated with pneumonia shall be separated and isolated from cases not having such complications.

4. The air of rooms in which patients id with measles or whooping cough are treated shall be kept at proper temperature, and the necessary humidity and ventilation maintained.

RULE XI. Terminal disinfection.—Immediately prior to the termination of isolation, the premises occupied by the patient shall be given a thorough cleansing, airing, and sunning.

RULE XII. Funerals.—Public funerals are permissible in deaths from pneumonia if all orifices of the deceased have been closed with absorbent cotton soaked with approved disinfecting solution.

RULE XIII. Education and warnings .- Each year at the onset of the pneumonia season it shall be the duty of every local health authority to issue warnings relative to the dangers of pneumonia, and information as to methods of preventing the disease.

RULE XIV. Influenza.—Except when influenza has been declared epidemic by the director and rules for such epidemic influenza have been properly adopted and promulgated, all cases of influenza without pneumonia shall conform to the above rules for primary pneumonia, provided all quarantine placards used in this disease shall bear the word "influenza" where otherwise the word "pneumonia" is used.

Chicken Pox, German Measles, and Mumps—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Isolation—Placarding—Quarantine—Attendance at Schools and Gatherings—Contacts—Removal of Cases—Sale, Handling, and Delivery of Milk and Other Food—Disinfection—Burial—Funerals. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations, with the exception of paragraph 5 which is printed below. Chicken pox, German measles, and mumps are substituted for poliomyelitis.]

5. Isolation.—By isolation is meant the separating of a person or persons suffering from chicken pox, German measles, or mumps, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

RULE II. Reports .-

[Paragraphs 1, 2, and 3 are the same as paragraphs 1, 2, and 3 of Rule II

of the poliomyelitis regulations. l

4. The physician attending a case of chicken pox, German measles, or mumps shall inform the family and patient as to the nature of the disease and shall isolate the patient or instruct the family to do so. The attending physician shall do this as soon as he makes a diagnosis or probable diagnosis of chicken pox, German measles, or mumps.

[Paragraph 5 is the same as paragraph 5 of Rule II of the poliomyelitis

regulations.]

6. The written report of a known or suspected case of chicken pox, German measles, or mumps required by these rules, shall set forth at least the following information:

(a) Place and date of report.

(b) Name, exact address, age, sex, color, and occupation of the patient.

(c) Number of children and adults in the household.

(d) School attended or place of employment.

(e) Probable source of infection or origin of disease.

(f) Date of onset of illness; in eruptive disease, date of eruption.

(g) Name and address of person making the report.
Rule III. Placarding.—1. Whenever a case of chicken pox or German measles is reported to the local health authority he shall affix at the outside of all entrances to the building, house, or flat, as the case may be, a white warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold-faced type, at least the following: "Chicken pox" or "German measles" in type not less than 11/2 inches in height and "Keep out" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type: "Any person who violates these rules subjects himself to a fine not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

2. This warning card shall not be concealed from public view, shall not be mutilated or defaced and shall remain posted on the quarantined premises until

removed by the local or State health authorities.

Rule IV. Quarantine.—1. The patient shall be strictly confined to his home for the duration of quarantine and must not meet or mingle with other persons. He shall be excluded from school, Sunday school, and all other public gatherings and must not leave the premises without the consent of the local health authority. The local health authority or his authorized agent may at any time inspect such premises to see whether these rules are being observed.

2. All subsequent cases of chicken pox, German measles, or mumps which occur in the same building, house, or flat as the original case shall likewise be reported to the local health authority and quarantined as above prescribed.

3. Visiting of nonimmunes on quarantined premises is strictly prohibited.

4. In case the quarantined premises are connected with a store or place of business, the area under quarantine must be effectively sealed off from said store or place of business.

5. The minimum periods of quarantine for patients suffering from these diseases for the purpose of enforcement of these rules and regulations shall be as

follows:

Chicken pox.—The minimum period of quarantine of the patient shall be seven days from the onset of the disease and until all crusts have disappeared from the skin: Provided, however, The constituted health authority shall have the right to remove the placard at any time when he has assured himself that the case is not smallpox, but patient must continue to remain on premises until minimum quarantine period is over.

All cases of chicken pox in persons over 16 years of age, and during an epidemic of smallpox cases at any age, shall be investigated by the local health

authority or his authorized representative.

German measles.—The period of quarantine shall be eight days from the first appearance of the rash: Provided, however, The constituted health authority shall have the right to raise the quarantine at any time when he has assured himself that the case is not one of scarlet fever or measles.

All cases of German measles in which the diagnosis is in doubt shall be investigated by the local health authority or his authorized representative.

Mumps.—Quarantine of the patient shall be for seven days from the onset of the disease and until all swelling of the salivary glands has disappeared.

RULE V. Control of contacts.-1. Adults: No restrictions.

2. Immune ch.ldren: No restrictions.

3. Nonimmune children: No restrictions.

RULE VI. Termination of quarantine,—When the prescribed conditions for the termination of quarantine exist, quarantine may be terminated by the local health authorities, unless otherwise requested by the attending physician. No one but the local or State health authorities or their duly authorized representatives shall have authority to terminate quarantine. In no case may quarantine be terminated except in accordance with the provisions of these rules and regulations.

RULE VII. Duties of school authorities.—1. Whenever a known or suspected case of chicken pox, German measles, or mumps involves any pupil, teacher, or employee of any public, parochial, private, or other school it shall be the duty of the person or persons in charge of such school, immediately upon knowledge of this, to notify the local health authority and to take or cause to be taken all such precautions as are necessary to prevent the spread of infection in the

school.

2. The school superintendent, principal, or any other person in charge of any private, public, parochial, or Sunday school shall not permit any pupil, teacher. or other person who has been excluded from such school on account of chicken pox, German measles, or mumps to reenter school except on presentation of a certificate issued by the local health authority, if he be a physician, or by a physician appointed or employed by the local health authority, or by the school physician or by a physician and countersigned by the local health authority or his authorized agent, stat ng that such child or person is not likely to convey chicken pox, German measles, or mumps.

Rule VIII. Removals.—1. No case of chicken pox, German measles, or mumps shall be removed from the house or building in which found to another in the same health jurisdiction except by permission of the local health authority and then only by private conveyance and after due care has been taken to prevent the spread of the disease: Provided, That when a case of chicken pox, German measles, or mumps is discovered in a school or other public building the patient may be immediately sent to his usual residence or to a hospital, by private con-

veyance only, and such vehicle shall be properly disinfected before it shall be further used.

[Paragraph 2 is the same as paragraph 2 of Rule VII of the poliomyelitis.

regulations.]

RULE IX.—Control of milk and foodstuffs coming to and from quarantined premises.—1. Milk, foodstuffs, and other necessary supplies may be delivered to the quarantined premises provided that there is no contact between the attendant, patient, object, or utensils from the sick room and the delivery agent. Before milk bottles may be taken away from the quarantined premises they must

be thoroughly boiled.

2. When German measles appear on premises where milk or milk products are produced, handled, or sold, the sale, exchange, removal, or distribution of the same may be permitted, providing there is no question as to the case being German measles and not scarlet fever and the patient is properly isolated and those producing, handling, or selling the same and the utensils used as the case may be, do not come in contact with the patient or any of his secretions or any object or utensils solled by the same.

RULE X. Concurrent or bedside disinfection.—1. All discharges from the nose and mouth of the patient shall be received in cloths or papers, which should be burned immediately after such usage, or immersed in vessels containing an approved disinfecting solution. If necessary to remove such cloths or papers from the sick room for burning, they should be deposited in a paper bag and

taken direct to furnace and burned.

2. Soiled body or bed clothing, eating utensils, and other articles used by the patient or attendant shall be disinfected by boiling or by immersion in an approved disinfecting solution. The disinfection of discharges and of contaminated articles as above provided shall be continued throughout the period of isolation.

3. When the patient coughs or sneezes a handkerchief or other cloth shall be placed over the face. The nose, lips, cheeks, and hands of the patient shall

be frequently washed and kept scrupulously clean.

4. Immediately after handling the patient or articles contaminated with the patient's secretions, the attendant shall thoroughly wash and cleanse the hands.

RULE XI. Terminal disinfection.—Rooms which have been occupied by a case of chicken pox, German measles, or mumps and their contents shall be thor-

oughly cleansed, aired, and sunned.

RULE XII. Deaths and burials.—Disposal of the body of anyone dead from chicken pox, German measles, or mumps shall be effected within 48 hours after death unless body is properly embalmed and shall be subject to the same rules and regulations of the Illinois Department of Public Health as apply to deaths following noninfectious conditions, with the following exceptions:

1. That all deaths reported to be due to chicken pox shall previously be investigated by the local health authority, if he be a physician, or his duly

authorized medical representative.

2. That no susceptible children under 16 years of age shall be allowed to attend funerals where death was due to chicken pox, German measles, or mumps.

When the body of anyone dead from chicken pox, German measles, or mumps is to be transported within the State of Illinois by railroad or other common carrier, the official rules of the Illinois Department of Public Health for the transportation of the dead must be observed in all points not in conflict with these rules.

Diphtheria—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Reports by Druggists of Sales of Antitoxin—Placarding—Quarantine—Carriers—Isolation—Cultures—Contacts—Immunization—Removals—School Attendance—Sale, Handling, and Delivery of Milk and Other Food—Disinfection—Burial—Funerals. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations. Diphtheria is substituted for poliomyelitis.]

RULE II. Reports .-

[Paragraphs 1, 2, 3, 4, and 5 are the same as paragraphs 1, 2, 3, 4, and 5 of Rule II of the poliomyelitis regulations.]

6. The sale or delivery of a treatment dose of diphtheria antitoxin to any customer by any druggist or druggist's assistant shall be regarded as knowledge on the part of such druggist or assistant of a known or suspected case of diphtheria and every sale or delivery of diphtheria antitoxin must be reported by the druggist to the local health authority, giving the name of the physician by whom it was purchased and date delivered.

7. Every reported case or suspected case of diphtheria involving any person, either as the case, or a diphtheria carrier, or as a contact, who is engaged in the handling of milk or milk products, shall be promptly reported by the local health authority to the employer of such person in order that the necessary precautions

may be taken to safeguard other employees and the public.

[Paragraph 8 is the same as paragraph 7 of Rule II of the pollomyelitis

regulations.]

9. The written reports of a known or suspected case of diphtheria required by these rules shall set forth at least the following information:

(a) Place and date of report.

(b) Name, exact address, age, sex, color, and occupation of the patient.

(c) Number of children and adults in the household.

(d) School attended or place of employment.(e) Probable source of infection or origin of disease.

(f) Date of onset of illness.

(g) Was patient, or is any member of the household, engaged in the production or handling of milk?

(h) Name and address of person making the report.

RULE III. Placarding.—1. Whenever a case of diphtheria (membranous croup, diphtheritic sore throat) is reported to the local health authority he shall affix at the outside of all entrances to the building, house, or flat, as the case may be, a red warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold face type, at least the following: "Diphtheria," in type not less than 1½ inches in height, and "Keep out" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type: "Any person who violates these rules subjects himself to a fine of not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

[Paragraph 2 is the same as paragraph 2 of Rule III of the poliomyelitis

regulations.

3. Premises upon which diphtheria carriers reside who are convalescent carriers or who have been in close association with a case shall be placarded in manner as above set forth with a white card printed in type of the prescribed kind and size, reading "Diphtheria carrier," "Keep out."

[Paragraph 4 is the same as paragraph 3 of Rule III of the poliomyelitis

regulations.]

RULE IV. Quarantine.—In cases of diphtheria (membranous croup, diphtheritic sore throat), quarantine and adequate isolation of the patient as set forth in paragraph 4 of this rule must be maintained for a minimum period of 16 days: Provided, however, That in the event of obtaining two successive negative cultures from both nose and throat of the patient, at intervals of not less than 24 hours at a time subsequent to 24 hours after the disappearance of the membrane from the throat and the return of the temperature to normal the quarantine may be raised: Provided further, That one negative culture shall also then be obtained from each contact and all other inmates of the quarantined premises, if none of the members of the household are engaged as teachers, janitors, or in other positions in or about school buildings, or in any occupation bringing them in close contact with children, or in relation to the production, preparation, or handling of milk and milk products. In such cases, contact with children or the public shall not be permitted for at least one week after the termination of quarantine of the patient and then not until two successive negative cultures from both nose and throat taken at least 24 hours apart have been obtained. Quarantine may be terminated if persistent diphtheria bacilli prove avirulent. Where case occurs in school child and is not released by negative cultures the child must remain out of school for one week after termination of quarantine.

2. If a diphtheria patient continues to carry diphtheria bacilli at the end of 16 days from date of onset of the disease, such case shall be continued in quarantine as a "carrier" (the placard being changed accordingly) until two successive negative cultures from both nose and throat taken at intervals of

not less than 24 hours have been secured, or bacilli are proven avirulent.

3. Excepting as hereinafter provided no one other than the attending physician, minister of the gospel, and the local or State health authorities, or the duly authorized representatives of such authorities, shall enter or leave the quarantined premises until the warning cards have been removed and quarantine has been officially terminated. All persons who continue to reside on the

quarantined premises shall be confined thereto.

4. The diphtheria patient and the necessary nursing attendant shall be confined in a well-ventilated room which shall be free from unnecessary furnishings and effectively screened in season against flies. Arrangements shall be made to supply them with food and other necessities without it be ng necessary for the attendant to leave, or for other persons to enter the sick room. All articles which must be taken from the sick room shall be thoroughly disinfected immediately upon removal, by boiling or by immersion for one hour in a 5 per cent solution of carbolic ac d or a 2 per cent cresol solution.

5. Suspected cases of diphtheria shall be quarantined in the same manner as known cases of the disease until such time as a diagnosis is established. If the diagnosis is other than diphtheria the case shall be handled in accordance with the provisions of the rules governing the disease of which diagnosis is

made.

6. All persons who have been exposed to a case of diphtheria or "diphtheria carrier" and who do not reside on the quarantined premises, exposure or contact not having been intimate or long continued, shall be kept under observation and control for at least one week, unless a negative culture is ear-

lier obtained from both nose and throat.

7. Adults residing on the quarantined premises may be removed therefrom to remain away during the period of quarantine, upon permission from the local health authority, after a negative culture has been obtained from the nose and throat of each such person and after disinfection of person and clothing. Such persons shall avoid public gatherings and unnecessary contact

with other persons for a period of seven days following removal.

8. On the premises where there is a case of diphtheria which can not be removed or hospitalized and there are well children not known to be immune, such children shall be removed, wherever possible, to premises occupied solely by adults or by immune children and adults. Such children shall be kept under observation and control on the premises to which removed until two successive negative cultures from both nose and throat taken at intervals of not less than 24 hours apart are obtained or they may be released if after 7 days they show no symptoms of the disease. However, such children should be passively immunized unless shown to be immune by a Schick test or give a history of active immunization.

Rule V. Quarantine of diphtheria carriers.—Carriers shall be quarantined

and the premises placarded under the following conditions:

1. If there is a reasonable probability that they are infective as determined by one or more of the following tests:

(a) History of recent exposure to one or more cases.

(b) History of having recently caused one or more cases of diphtheria.

(c) Bacilli are positive to established tests for virulence.

2. Restrictions on the carrier:

(a) Diphtheria carriers shall be isolated in their own homes and not come in contact in any way with the public.

(b) Diphtheria carriers shall not attend any public or private school, church,

picnic, or public gathering of any kind.

- (c) Diphtheria carriers shall not handle food or dairy products offered for sale.
- (d) Diphtheria carriers may be released and readmitted to school on two negative cultures or when a virulency test proves the bacilli to be nonvirulent.
- 3. Restrictions on other persons living in the placarded home with a diphtheria carrier:
- (a) If the carrier is properly isolated, the adults of the household may go about their usual business.
- (b) School children living in the placarded home of a carrier shall be excluded from school as long as the carrier. If these children go to another home to live they may be readmitted to school after seven days or as soon as they have one negative culture if this is approved by the local board of health.

⁶ In case there is an outside toilet for the exclusive use of family under quarantine, then the contacts and others under quarantine may use said outhouse, toilet, or privy, but under no circumstances shall the patient be permitted to pass the placard.

(c) If the local health authority finds that adequate precautions and the rules relative to the proper isolation of the "carrier" are not being observed, then he must quarantine the entire household, not permitting any person to leave the quarantined premises until quarantine of the carrier is terminated.

RULE VI. Immunization.—Whenever a case of diphtheria exists in an institution, hospital, home, asylum, or anywhere that a group of people live under the same roof or in any other way are associated closely together, all contacts shall be immunized against this disease unless they have been proven to be immune to the disease by a Shick test made within three years or are otherwise known to be immune by reason of active immunization with toxin-antitoxin. Those not so immunized or known to be immune shall be quarantined or removed as provided for under Rule IV.

[Rule VII is the same as Rule V of the poliomyelitis regulations.]

RULE VIII. Termination of quarantine.—Quarantine shall not be terminated

until the following conditions exist:

1. Following the death of the patient or the removal of patient to a hospital, specimens shall be taken from the nose and throat of each of the inmates of the premises and submitted to laboratory examination, either at a municipal, district laboratory or the laboratories of the Illinois Department of Public Health. All such persons yielding positive cultures and showing no clinical evidence suspicious of diphtheria shall be held in quarantine and premises be placarded as "diphtheria carriers" until such time as two successive negative cultures from both nose and throat, taken not less than 24 hours apart, can be obtained.

2. When the last diphtheria patient residing on the premises has been quarantined for a minimum period of 16 days and the isolation has been such that others have not been exposed to infection directly or indirectly, except as provided for in paragraph 3 of Rule IV, quarantine may be terminated. If, however, quarantine and isolation have not been strictly observed, quarantine may then only be terminated at the end of 16 days upon obtaining two successive negative cultures from both nose and throat of the patient, taken at least 24 hours apart, and one negative from each contact and all other inmates of the quarantined premises.

3. Or when, both quarantine and isolation of the patient having been such that others have not been exposed to infection, directly or indirectly, except as provided for in paragraph 3 of Rule IV, quarantine may be terminated upon obtaining two successive negative cultures from both nose and throat of the patient, at intervals of not less than 24 hours at a time subsequent to 24 hours after the return of the temperature to normal and disappearance of the membrane from the throat, and, further, that one negative culture shall be obtained from each contact and all other inmates of the quarantined premises.

4. When the prescribed conditions for termination of quarantine exist, the attending physician shall notify the local health authority in writing, certifying that under the provisions of the rules, quarantine may be terminated and requesting that such action be taken. No one but the local and State health authorities or their duly authorized representatives shall have authority to

terminate quarantine.

RULE IX. Removals.—1. No case of diphtheria, contact, or exposure to diphtheria, shall be removed from any house, building, or vessel in which quarantine is in force, to any other premises in the same health jurisdiction except by permission of the local health authority or the Illinois Department of Public Health. Any such authorized removal of a diphtheria patient shall be made by private conveyance and with the exercise of extreme care to prevent the spread of the disease including disinfection of conveyance. Contacts and exposures

may only be removed in accordance with Rule IV.

2. No diphtheria patient shall be removed from one health jurisdiction to another except by authority of the local health authorities from which and to which removal is desired. Notification of such removal, giving the name and address of patient before and after removal, shall be sent immediately thereafter to the Illinois Department of Public Health. Where patient desires to move to another State permission should first be obtained from the Illinois Department of Public Health and the health authorities of State to which removal is desired as well as from the local health authorities. All authorized removals shall be effected by private conveyance and under personal direction

If bacilli still persist after 16 days, quarantine may be terminated, provided the bacilli are found nonvirulent, but determination of nonvirulency must be made by a laboratory of the Illinois Department of Public Health or by a laboratory approved by this department.

of a physician or medical health officer or his deputy who shall exercise extreme care to prevent the spread of the disease, including disinfection of conveyance.

3. Under no circumstances shall permission be granted for removal of any person or article from premises upon which a case of diphtheria has been found, to any premises upon which milk or milk products are produced, sold, or handled, until quarantine has been terminated, and then only upon permission of the local health authorities or of the Illinois Department of Public Health.

Rule X. Duties of school authorities .- 1. Whenever a known or suspected case of diphtheria involves any pupil, teacher, or employee of any public, parochial, private, or other school, either as a case, contact, or exposure, it shall be the duty of the person or persons in charge of such school, immediately upon knowledge of this, to take or cause to be taken all such precautions as are

necessary to prevent the spread of infection in the school."

2. The school superintendent, principal, or any other person in charge of any private, public, parochial, or Sunday school shall not permit any pupil, teacher, or employee excluded from such school on account of dightheria, either as a case, carrier, contact, or exposure, to reenter school except on presentation of a certificate of health issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or by the school physician or by a physician countersigned by the local healtn authority or his duly authorized agent, stating that the provisions of Rule IV have been complied with and there is no danger of such pupil, teacher, or employee con-

veving diphtheria.

3. The school superintendent, principal, or any other person in charge of any private, public, parochial, or Sunday school, shall not permit any pupil, teacher, or employee of any school who has been removed from premises where a case of diphtheria exists, to reenter school until one week after date of such removal and then only on presentation of a certificate of health issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or by the school physician or by a physician countersigned by the local health authority or his duly authorized agent, and such certificate should be issued by such authority only after receipt of a laboratory report on the examinations of specimens taken from the nose and throat of the pupil, teacher, or employee concerned not before the fifth day following removal, showing him or her to be free from diphtheria bacilli.

[Rule XI is the same as Rule IX of the poliomyelitis regulations.] [Rule XII is the same as Rule X of the poliomyelitis regulations.]

Rule XIII. Concurrent or bedside disinfection.—1. All discharge from the respiratory tract, mouth, nose, and throat of the patient, shall be received in cloths or paper napkins which shall be burned immediately after using, or immersed in vessels containing an approved disinfecting solution. Spitting of sputum on bed clothing, floors, or furniture is especially dangerous and must be prevented.

2. Soiled body or bed clothing, eating utensils, and other articles used by the patient or attendants, shall be disinfected by boiling or by immersion in an approved disinfecting solution. The disinfection of discharges and of contaminated articles as above provided shall be continued throughout the period

of isolation.

3. When the patient coughs or sneezes a handkerchief or other cloth shall be placed over the face. The nose, lips, cheeks, and hands of the patient shall be frequently washed and kept scrupously clean.

4. Floors, furniture, and woodwork shall be wiped up daily with a disinfecting solution. The room shall be free from carpets, draperies, and other unnecessary furnishings.

[Rule XIV is the same as Rule XII of the poliomyelitis regulations.]

RULE XV. Deaths and burials.-

[Paragraphs 1 and 2 are the same as paragraphs 1 and 2 of Rule XIII of the

poliomyelitis regulations.]

3. Church and other public funerals shall not be attended by any person who was in close contact with the case or who comes from the infected premises,

⁸ Schools should not be closed except in the event of a great emergency and then only after the approval of the Illinois Department of Public Health for such closing has been obtained. When the schools are closed a supplementary order should be issued by the local health authority requiring that all children attending the school in question shall remain upon their own premises. It is folly to close the schools and permit the pupils to mingle in the streets or in public or private gatherings.

except they have been proven not to be carriers by throat culture and provided also their clothing and persons have been disinfected. Persons following the remains to the grave shall not enter vehicles occupied by unexposed persons. All persons from the quarantined premises shall return to said premises immediately after the funeral and shall remain there until released by the local health officer.

[Paragraph 4 is the same as paragraph 5 of Rule XIII of the poliomyelitis

regulations.]

Scarlet Fever-Terms Defined-Reports of Cases-Reports by Local Health Authorities-Reports by Druggists of Sales of Scarlet Fever Antitoxin-Placarding—Quarantine—Isolation—Disinfection—Removals—School Attendance—Sale, Handling, and Delivery of Milk and Other Food—Burial—Funerals. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations. Scarlet fever is substituted for poliomyelitis.]

RULE II. Reports.

[Paragraphs 1, 2, 3, 4, and 5 are the same as paragraphs 1, 2, 3, 4, and 5

of Rule II of the poliomyelitis regulations.]

6. The sale or delivery of a treatment dose of scarlet-fever antitoxin to any customer by any druggist or druggist's assistant shall be regarded as knowledge on the part of such druggist or assistant of a known or suspected case of scarlet fever, and every sale or delivery of scarlet-fever antitoxin must be reported by the druggist to the local health authority, giving the name of the physician by whom it was purchased and date delivered.

[Paragraphs 7 and 8 are the same as paragraphs 6 and 7 of Rule II of the

poliomyelitis regulations.]

9. The written reports of a known or suspected case of scarlet fever required by these rules shall set forth at least the following information:

(a) Place and date of report.

(b) Name, exact address, age, sex color, and occupation of the patient.

(c) Number of children and adults in the household.

(d) School attended or place of employment.(e) Probable source of infection or origin of disease.

(f) Date of onset of illness.

(g) Was patient or is any member of the household engaged in the production or handling of milk?

(h) Name and address of person making the report.

RULE III. Placarding.—1. Whenever a case of scarlet fever (scarlating) is reported to the local health authority he shall affix at the outside of all entrances to the building, house, or flat, as the case may be, a red warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold-face type at least the following, "Scarlet fever," in type not less than 11/2 inches in height, and "Keep out" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type: "Any person who violates these rules subjects himself to a fine of not to exceed \$200 for each offense or imprisonment in the county jail not to exceed six months, or both."

[Paragraphs 2 and 3 are the same as paragraphs 2 and 3 of Rule III of the

poliomyelitis regulations.]

Rule IV. Quarantine.—1. In cases of scarlet fever (scarlatina), quarantine must be maintained for a minimum period of four weeks, and until all discharges from suppurating glands and ears have ceased and until the throat is normal. Other members of household who continue to reside on the quarantined premises must remain on the same until termination of quarantine.

2. Excepting as hereinafter provided, no one other than the attending physician, minister of the gospel, and the local or State health authorities shall enter or leave the quarantined premises until the warning cards have been

removed and quarantine has been officially terminated.

3. The scarlet fever patient and the necessary nursing attendant shall be effectively isolated in a well-ventilated room, which shall be free from unnecessary furnishings and effectively screened against flies. Arrangements shall be made to supply them with food and other necessities without it being necessary for the attendant to leave or other persons to enter the sick room. All articles

On case there is an outside toilet for the exclusive use of family under quarantine, then the contacts and others under quarantine may use said outhouse, toilet, or privy, but under no circumstances may the patient be permitted to pass the placard.

which must be taken from the sick room shall be thoroughly disinfected immediately upon removal, by immersion for one hour in a 5 per cent solution of

carbolic acid or a 2 per cent cresol or lysol solution.

4. Adults, excepting school teachers and other persons employed in or about any school building or premises, who have been removed from the quarantined premises, may go about their usual business, provided they do not again enter the quarantined premises, or come in contact in any way with patient or attendant, or with any article from such premises during the period of quar-

5. Children known to be immune by reason of a previous attack of the dis-

ease or a negative skin test (Dick test) are to be dealt with as adults.

6. Susceptible or nonimmune children shall, wherever possible, after proper disinfection of person and clothing, be removed by permission of the local health authority from the quarantined premises to premises where none but adults or adults and immune children reside, where they shall be kept under observation and control for a period of seven days from date of removal.

7. All susceptible children, school-teachers, and others employed in or about any school buildings or premises if exposed shall, providing they do not reside on the quarantined premises, be kept under daily observation and away from nonimmune children for a period of seven days from date of last exposure. The latter rule must be observed rigidly or isolation for the same period of time

will be required.

[Rule V is the same as Rule V of the poliomyelitis regulations.]

RULE VI. Termination of quarantine.—Quarantine shall not be terminated

until the following conditions exist:

1. Following the death of the patient or the removal of patient to a hospital, the remaining nonimmune inmates 10 of the premises shall be quarantined for seven days. If, at the end of this period, they show no evidence of illness, quarantine of the premises may be terminated.

2. When the last scarlet-fever patient residing on the premises has been in quarantine for a minimum period of four weeks, and all abnormal discharges have ceased, and if other inmates of the quarantined premises show no evidence

of illness, quarantine may be raised.

3. When the prescribed conditions for termination of quarantine exist, the attending physician shall notify the local health authority in writing, certifying that under the provisions of the rules, quarantine may be safely terminated and requesting that such action be taken. No one but the local and State health authorities or their duly authorized representatives shall have authority to terminate quarantine.

4. Before release from quarantine all persons recovered from scarlet fever, attendants, contacts, and exposures, shall, under supervision of the local health authority, disinfect their person and clothing in the manner approved by the

Illinois Department of Public Health.

Rule VII. Removals .-

[Paragraphs 1 and 2 are the same as Rule VII of the poliomyelitis regulations 1

3. Under no circumstances shall permission be granted for removal of any person or article from premises upon which a case of scarlet fever has been found to any premises upon which milk and milk products are produced, sold, or handled, until quarantine has been terminated, and then only upon permission of the local health authorities or of the Illinois Department of Public Health.

Rule VIII. Duties of school authorities.—1. Whenever a known or suspected case of scarlet fever involves any pupil, teacher, or employee of any public. parochial, private, or other school, either as a case, contact or exposure, it shall be the duty of the person or persons in charge of such school immediately upon knowledge of this to take or cause to be taken all such precautions as are necessary to prevent the spread of infection in the school."

¹⁶ This is not intended to include parents and other adults of the household, who may be considered immune, if no suspicious signs or symptoms of scarlet fever have appeared during the period of quarantine or exist at time of termination of the same. Such persons may be released after disinfection of person and clothing.
¹¹ Schools should not be closed except in the event of a great emergency and then only after the approval of the State Department of Public Health for such closing has been obtained. When schools are closed a supplementary order should be issued by the local health authority requiring that all children attending the school in question shall remain upon their own premises. It is folly to close the schools and permit the pupils to mingle in the streets or in public or private gatherings.

2. The school superintendent, principal, or any other person in charge of any private, public, parochial, or Sunday school shall not permit any pupil, teacher, or employee excluded from such school on account of scarlet fever, either as a case, contact or exposure to reenter school except on presentation of a certificate of health issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or by the school physician or by a physician countersigned by the local health authority or his duly authorized agent, stating that the provisions of Rule IV have been complied with and there is no danger of such pupil, teacher, or employee conveying

3. The school superintendent, principal, or any other person in charge of any private, public, parochial, or Sunday school shall not permit any pupil, teacher, or employee of any school who has been removed from premises where a case of scarlet fever exists, to reenter school until one week after date of such removal and then only on presentation of a certificate of health issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or his duly authorized agent, and such certificate shall be based upon examination of the pupil, teacher, or employee concerned, made on the seventh day from the date of removal, and shall certify that there is no danger of such pupil, teacher, or employee conveying scarlet

[Rule IX is the same as Rule IX of the poliomyelitis regulations.] [Rule X is the same as Rule X of the pol omyelitis regulations.]

Rule XI. Concurrent or bedside disinfection.—1. All discharges from the nose and mouth of the patient shall be received in cloths or papers, which shall the burned immediately after such usage or immersed in vessels containing an approved disinfecting solution. If necessary to remove such cloths or papers from the sick room for burning, they shall be deposited in a paper bag and taken direct to furnace and burned.

2. Soiled body or bed clothing, eating utensils and other articles used by the patient or attendants shall be disinfected by boiling or by immers.on in an approved disinfecting solution. The disinfection of discharges and of contaminated articles as above provided shall be continued throughout the period

of isolation.

3. When the patient coughs or sneezes a handkerchief or other cloth shall be placed over the face. The nose, lips, cheeks, and hands of the patient shall be frequently washed and kept scrupulously clean.

Immediately after handling the patient or articles contaminated with the patient's secretions the attendant shall thoroughly wash and cleanse the hands.

5. Floors, furniture, and woodwork shall be wiped up daily with a disinfecting solution. The room should be free from carpets, draperies and other unnecessary furnishings.

[Rule XII is the same as Rule XII of the poliomyelitis regulations.]

RULE XIII. Deaths and burials .-

[Paragraphs 1 and 2 are the same as paragraphs 1 and 2 of Rule XIII of the

poliomyelitis regulations.]

3. Public and church funerals are positively prohibited unless body dead of scarlet fever is embalmed. No person whose attendence is not necessary for the conduct of the funeral shall be permitted to enter the premises where the death occurred.

4. Church and other public funerals shall not be attended by any person who was in close contact with the case or who comes from the infected premises except they have been proven not to be carriers of hemolytic streptococci and provided also their clothing and persons have been disinfected. Persons following the remains to the grave shall not enter vehicles occupied by unexposed persons. All persons from the quarantined premises shall return to said premises immediately after the funeral and shall remain there until released by the local health officer.

[Paragraph 5 is the same as paragraph 5 of Rule XIII of the poliomyelitis

regulations.]

Typhoid Fever and Paratyphoid Fever—Terms Defined—Reports of Cases—Reports by Local Health Authorities—Laboratory Examinations—Placarding—Carriers—Inspection of Premises Where Case or Carrier Resides and Works—Isolation—Immunization—Quarantine—Hospitalization—Care of Cases in Hospitals—Removals—Sale, Handling, and Delivery of Milk and Other Food—Disinfection—Alteration and Maintenance of Privies and Cesspools—Burial. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as rule I of the poliomyelitis regulations except that paragraph 15 has been added. Typhoid and paratyphoid have been sub-

stituted for poliomyelitis. Paragraph 15 is as follows:]

15. Typhoid or paratyphoid carrier.—By "typhoid or paratyphoid carrier" is mean a person who harbors typhoid or paratyphoid bacilli and emits them regularly or intermittently. This condition may or may not follow a recognized attack of typhoid or paratyphoid fever. Persons who continue to discharge typhoid or paratyphoid bacilli for the first three months after recovery from clinical symptoms of typhoid or paratyphoid fever (convalescent typhoid or paratyphoid carrier) shall be regarded as cases rather than carriers. If after such a period has elapsed typhoid or paratyphoid bacilli are still being discharged in the feces and urine, the Illinois Department of Public Health shall be notified in detail so that special arrangements may be made for further examination and observation with the end in view of ruling individually on the chronicity of all such convalescent typhoid or paratyphoid carriers. (See Rule XV.)

RULE II. Reports .-

[Paragraphs 1, 2, 3, and 4 are the same as paragraphs 1, 2, 3, and 4 of Rule

II of the poliomyelitis regulations.]

5. Whenever any school child, teacher, or other person employed on school premises has been in close contact with, exposed to, or suffering from typhoid fever or paratyphoid fever, or is a typhoid or paratyphoid carrier, it shall be the duty of the local health authorities to immediately report such facts to the school authorities of the school or schools concerned.

6. Any known or suspected case of typhoid fever or paratyphoid fever occurring or residing on a dairy farm shall be immediately reported by telegraph or telephone to the Illinois Department of Public Health by the local health officer.

7. Upon receipt of knowledge as to the existence of a case or suspected case of typhoid fever or paratyphoid fever or a typhoid or paratyphoid carrier on a premise, it shall be the duty of the local health authorities to notify the milkman that such case, suspected case, or carrier, as the case may be, exists on said premises, and to give him the necessary instructions as to the precautions required to prevent the spread of typhoid or paratyphoid infection through the agency of milk or milk containers.

8. Every reported case or suspected case of typhoid fever or paratyphoid fever or typhoid or paratyphoid carrier involving any person, either as the case, a contact, or exposure, who is engaged in any business especially in the handling of milk or foodstuffs shall be promptly reported by the local health authority to the employer of such person in order that the necessary precautions may be

taken to safeguard other employees and the public.

9. The local health authorities or the Illinois Department of Public Health may require the submission of specimens of blood or other material from cases of typhoid fever, paratyphoid fever, or suspected typhoid or paratyphoid carriers for the purpose of examination by a State or municipal laboratory.

10. The written reports of a known or suspected case of typhoid fever or paratyphoid fever, or typhoid or paratyphoid carrier, required by these rules,

shall set forth at least the following information:

(a) Place and date of report.

- (b) Name, exact address, age, sex, color, and occupation of the patient.
- (c) Number of children and adults in the household.

(d) Clinical type of disease.

(e) School attended or place of employment.

(f) Date of onset of illness.

(g) Was patient or is any member of the household engaged in the production or handling of milk?

(h) Name and address of person making the report.

RULE III. Placarding.—1. Whenever a case of typhoid fever or paratyphoid fever is reported to the local health authorities they shall affix in a conspicuous place at each outside entrance of the building, house, or flat, as the case may be.

a red warning card, not less than 6 by 10 inches in size, on which shall be printed in black with bold-face type, at least the following: "Typhoid fever here" or "Paratyphoid fever here," as the case may be, in type not less than 1½ inches in height, and "Keep out," "Remove no milk containers" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type: "All persons who violate these rules subject themselves to a fine of not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

2. In cases reported as "suspects" the placard may bear the words "Quarantine" in black, bold-face type not less than 1½ inches in height, followed by "Keep out" and "Remove no milk containers" in similar type not less than 1 inch in height. When a diagnosis is made, this placard shall be replaced by the proper placard for the disease in question, in accordance with the rules

covering such disease.

3. This warning card shall not be concealed from public view, shall not be mutilated or defaced, and shall remain posted on the quarantined premises

until removed by the local or State health authorities.

Rule IV. Inspection.—1. When a case of typhoid fever or paratyphoid fever, or a typhoid or paratyphoid carrier is reported to a local health department, or otherwise becomes known to a local health department, it is the duty of the local health authorities to immediately cause an inspection of the premises where the case lives or is domiciled, and also those where he works or has recently worked, to be made.

2. The duties of this inspection are:

(a) To require that proper precautions be taken to protect the attendants, the

other members of the family, and the force of fellow workers.

(b) If hospitalization is not available, all contacts refusing vaccination shall be quarantined on premises during period of isolation or excluded from quarantined premises until case is terminated. Specimens of feces and urine shall be secured for examination from each contact prior to release.

(c) To investigate the sources of infection, especially the source of water, milk, and other foods or drinks used and the exposure to persons and insects

during the period when the infection occurred.

3. If the source or probable source of infection is discovered, the Illinois Department of Public Health shall be immediately appraised of such source. However, in no case shall the original report of a case of typhoid or paratyphoid fever be delayed by reason of such investigation.

RULE V. Quarantine.—1. The patient shall be confined to one or more well-

RULE V. Quarantine.—1. The patient shall be confined to one or more well-ventilated rooms screened against flies and as remote as possible from other rooms. The room shall be free from such furniture and other articles as are

unnecessary for the patient's care.

2. The attendant shall be immunized against typhoid and paratyphoid fever upon taking charge of the case, if not already so protected by such immunization within two years. All other persons residing on quarantined premises, who are not protected by immunization within two years, shall be immunized or quarantined on premises during period of isolation; however, if they elect to do so, they may live continuously at some other premises until termination of quarantine.

3. The patient must not leave the room in which confined until the placard

has been removed from the premises.

4. The other inmates of the quarantined premises, if they have been immunized, except the attendant, may go about their usual business, providing they do not come in contact with the patient and are not engaged in the production, handling, sale, or distribution of milk or other foods or food products or in the retailing of water. The attendant, upon leaving the premises, shall take all the precautions necessary to prevent the spread of the disease. Attendants shall not prepare or handle food for other than the patient and themselves (separate dishes and utensils shall be used and these must be kept in the room occupied by the patient) unless they wear special gowns and gloves, and their intercourse with others shall be as restricted as possible. They are strictly prohibited from engaging in any work connected with preparing, marketing, or selling of foodstuffs, milk, or milk products, including the washing or care of milk utensils or containers of any description, except as hereinbefore provided.

5. Visitors shall not be permitted to enter the quarantined premises nor to come in contact with the attendant unless they have been protected by typhoid

and paratyphoid vaccination within two years.

Rule VI. Hospitals.—1. All cases of typhoid and paratyphoid fever shall be hospitalized, provided the proper official shall have the right to permit such patients to remain at home when this can be done with safety to the family and community.

2. The local health authorities shall inspect local hospitals with a view of de-

termining their equipment for the care of cases of typhoid fever.

3. No hospital shall be allowed to care for cases of typhoid and paratyphoid fever, unless the nurses, internes, laboratory workers, and all others in contact with the case are protected against typhoid and paratyphoid fever and instructed in the protection of food and the disposal of feces and urine of such cases.

4. Typhoid and paratyphoid cases may be cared for in general and semi-private wards of hospitals, as well as in private rooms with general floor nursing: Provided, That all internes, nurses, and employees in attendance on such cases have had recent protective immunization against typhoid and paratyphoid fever: And provided further, That the local health officer has assured himself that all requirements are being met and gives permission for such ward and semiprivate room nursing. He must especially assure himself that the hands of attendants are kept clean and properly disinfected, that food is protected, and excreta is made safe and flies are excluded. If nurse or attendant comes in contact with general case at time of caring for typhoid fever case, she must wear special gown and gloves, while caring for the latter, which must be immediately sterilized upon completion of her duties.

5. Immediate relatives who are properly immunized may visit such patients,

if they conform to the rules.

6. In case of failure to obtain a negative terminal culture on a convalescent case, patients may be removed to their homes and there isolated and placarded, when in the opinion of the local health authority the occupants of the homes and the public generally are not endangered by such removal, provided all home

contacts are vaccinated.

Rule VII. Quarantine of store or place of business.—Whenever a case of typhoid or paratyphoid fever occurs on any premises connected with any store or place of business where milk, ice cream, other milk products, beverages, and foods for human consumption are prepared, handled, or sold, such stores shall be quarantined until the case is terminated by removal, recovery, or death, and the premises are thoroughly disinfected, unless the premises are so constructed that that part in which the case exists can be and is effectively sealed from the store, under the supervision of the local health authorities, and unless the employees and all other persons connected with the store do not enter that part of the premises where the case exists and do not come in contact with the patient, his attendant, or any article whatsoever from the quarantined premises.

RULE VIII. Termination of quarantine.—1. Quarantine shall be raised only by the local health authorities or by the Illinois Department of Public Health.

2. No person recovered from typhoid or paratyphoid fever shall be released from quarantine until two successive negative cultures of feces and urine are obtained, specimens to be collected not less than 24 hours apart, the first specimen to be taken 10 days after temperature is normal and all abnormal symptoms have disappeared. *Provided, however*, That in the case of food handlers, an additional specimen of feces and urine be secured and submitted for examination to the State or certified laboratory 30 days after the second or terminal specimen before final release.

3. All typhoid and paratyphoid convalescents showing a positive fecal or urinary specimen shall be subject to the same restrictions as provided for in the rules and regulations for control of typhoid and paratyphoid carriers until two successive negative specimens of feces and urine are obtained taken a

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week apart.13

RULE IX. Removals.—1. No person suffering from typhoid or paratyphoid fever shall be removed from the premises on which found unless consent to such removal be first obtained from the local health authorities or from the Illinois Department of Public Health.

Examinations of stool and urine for typhoid or paratyphoid bacilli will be made free of charge at the laboratory of the Illinois Department of Public Health, Springfield. Containers for forwarding specimens will be furnished on request addressed to the laboratory of the department at Springfield. No result of laboratory examination will be recognized unless the same is made at the cental laboratory of the Illinois Department of Public Health or at the branch or other laboratory authorized to make such examinations.

[Paragraph 2 is the same as paragraph 2 of Rule VII of the poliomyelitis

regulations.)

3. Under no circumstances shall permission be granted for removal of any person or article from premises upon which a case of typhoid or paratyphoid fever has been found to exist, to any premises upon which milk or other foodstuffs are produced, sold, or handled, until permission of the local health

authorities or the Illinois Department of Public Health is obtained

Rule X. Sale of milk and other foodstuffs from quarantined premises prohibited.—1. Whenever a case of typhoid or paratyphoid fever shall occur or reside on any premises where milk or other foodstuffs are either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever, or the removal from the premises of milk, cream, any milk products or other foodstuffs, is prohibited until the case has been terminated by removal, recovery or death and the premises and contents and all utensils are thoroughly disinfected under the supervision of the local health authorities. Provided, That in the event of typhoid or paratyphoid fever occurring on a dairy farm, the livestock may be removed to some other premises upon permission to do so being obtained from the local health authorities and from the Illinois Department of Public Health. The udders must be efficiently disinfected and the milking done and the milk cared for, handled, and sold at and from such other premises by persons other than those of the household of the patient or by persons other than those residing on the premises where the case exists.

2. When in the judgment of the local health authorities, there is an outbreak of typhoid or paratyphoid fever suspected of being caused by milk, they shall temporarily require that all milk be pasteurized in that community.

3. The removal of milk bottles, pails, or other articles used in the production of distribution of milk is entirely prohibited during the entire period of the quarantine. The local health authorities may grant permission for the removal of laundry during the period of quarantine, and of such other articles as can be adequately disinfected prior to removal provided that said health authorities shall perform or supervise such disinfection.

[Rule XI is the same as paragraph 2 of Rule X of the poliomyelitis regula-

tions.]

RULE XII. Concurrent or bedside disinfection.—1. Proper precautions shall be taken to prevent the dissemination of infectious material by patients, physicians, nurses, attendants, and other persons in charge or authorized to enter quarantined premises. Soiled body or bed linen and handkerchiefs or cloths used to receive discharges from the patient should be immediately disinfected by boiling or by immersion in an approved disinfecting solution. All discharges from bowels and bladder must be received in a vessel containing a liberal quantity of an approved disinfectant, and should be thoroughly mixed with the disinfectant and allowed to stand at least one-half hour. Such disinfectant must be continued so long after the recovery of the patient as the intestinal discharge continue to be more copious, liquid, or frequent than natural. Discharges from the mouth and any vomit matter must also be completely disinfected before disposed of.

2. The discharges should never be emptied on the ground or into a stream. After thorough disinfection they may be emptied in the sewer system, or if no such system exists, as in rural districts, they should be buried at least 1 foot below the surface of the ground and not closer than 150 feet to any well or other source of water supply. If deposited in any outhouse, they must first be disinfected and the contents of the privy vault must be sprinkled daily with crude oil or kerosene, or other approved solution or substance, employed for the purpose of repelling flies. An ample supply of clean towels, soap, water, basins, and an approved disinfectant (see note) 13 shall always be on hand for

the disinfection of the hands of the attendants.

3. Floors, furniture, and woodwork should be wiped up daily with a disinfecting solution. The room should be free from carpets, draperies, and other unnecessary furnishings.

4. Upon leaving such premises the physician, health officer, minister of the gospel, or representative of the Illinois Department of Public Health shall take all precautions necessary to prevent the spread of the disease.

¹⁸ Make up disinfecting solution by adding half a pound of chloride of lime (chloride of lime or bleaching powder) to 1 gallon of water, or three-fourths teaspoonfuls of liquor cresolis compositus, or three teaspoonfuls of creolin, or eight teaspoonfuls of formaldehyde (37 per cent strength) to a pint of water. The solution of chlorinated lime is preferable.

[Rule XIII is the same as Rule XII of the poliomyelitis regulations except that the reference to Rule XI in paragraph 1 of the poliomyelitis regulations is

here changed to Rule XII.]

RULE XIV. Privies and cesspools.-1. Any privy existing on premises on which a case of typhoid or paratyphoid fever or typhoid or paratyphoid carrier is found to occur or on any premises to which a typhoid or paratyphoid case or typhoid or paratyphoid carrier may be removed shall be made thoroughly flyproof by close-fitting, self-closing lids over the seats and by the elimination of all cracks and crevices that may permit the ingress or egress of flies to the materials deposited therein and contents of the vault treated with unslaked or freshly slaked or hydrated lime.

2. Any privy or cesspool on any such premises within 100 feet of any well or other source of water supply, or which though at a greater distance is by reason of the geological formation or the contour of the ground liable to infect such well or other sources of water supply, shall upon order of the local health authorities or of an authorized representative of the Illinois Department of Public Health be altered, remodeled, or entirely abolished as directed by such

authorities or such representative.

RULE XV. Typhoid or paratyphoid carriers.—1. Persons declared to be chronic typhoid or paratyphoid carriers by the Illinois Department of Public Health may be granted a modified form of quarantine upon signing a special form of agreement (appended to this rule) in duplicate, submitted by the Illinois Department of Public Health (a third copy shall be given to the carrier, one signed copy filed with the local board of health or other legally constituted local health authority, and the other signed copy forwarded to and kept on record by the Illinois Department of Public Health). Local health authorities will be held responsible for the supervision of this modified quarantine of all chronic typhoid or paratyphoid carriers residing within their respective jurisdictions. The local board of health, executive health officer, or commissioner shall visit or cause to be visited, each typhoid or paratyphoid carrier residing within the local health jurisdiction as often as may be necessary to insure compliance with the above-mentioned agreement (at least once every three months) and shall submit a report of each said visit to the Illinois Department of Public Health on a special form to be supplied for this purpose.

2. When it is desired to submit specimens of feces and urine from chronic typhoid or paratyphoid carriers for laboratory examination, the Illinois Department of Public Health reserve to itself the prerogative of passing finally upon all evidence which may be obtained thereby. All specimens of feces and urine submitted for laboratory examination must be sent to the central laboratory of the Illinois Department of Public Health, at Springfield. A chronic carrier shall not be released from observation and the rules of modified quarantine until four successive, authentic specimens of feces and urine give upon laboratory examination negative results for typhoid and paratyphoid bacilli. These specimens are to be taken one month apart. The identity of such specimens must be beyond question, and in order to insure this it will be necessary to secure the same under special surveillance, the nature of which must be

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acceptable to the Illinois Department of Public Health.

Dr. I. D. RAWLINGS,

Director Illinois Department of Public Health, Springfield, Ill.

Dear Sir: I, __________have this day been informed that my feces or urine contains typhoid or paratyphoid bacilli, and that unless special precautions are taken other persons may get typhoid or paratyphoid fever from me, directly or indirectly. Realizing this danger. I agree to observe the precautions which are required by the Illinois Department of Public Health and request that I be permitted to remain in free communication with other persons so long as I comply with these requirements necessary for the protection of the public health, which have been made clear to me and which I fully understand.

(a) I agree not to have conthing to the public health and request that I agree not to have conthing to the public health.

(a) I agree not to have anything to do with the production or handling of food that is to be consumed or the preparation or handling of milk, milk products, or drinks of any kind, to be consumed by others or the preparation or cooking of food which is to be consumed by others. I agree to wash my hands thoroughly with soap and water before each meal and come as little as possible in contact at the table with food that is consumed by others. Likewise I agree not to go to the ice box or refrigerator where food is kept to be consumed by others. 14

¹⁴ This rule need not apply to the housewife, who is a carrier, 30 days after all the members of her family have been immunized with three injections of typhoid and paratyphoid A and B vaccine and there is evidence that the family is not financially able to employ help to do the cooking. It shall be provided and agreed that the housewife will not cook or serve food to others than her immediate immunized family. The housewife shall agree not to serve food to visitors.

(b) I agree that every movement from my bowels not passed into a toilet flushed with water and connected with a sewer will be disinfected by me with a good disinfectant solution, such as chloride of lime, carbolic acid, or cresol. I also agree to have at convenient places an adequate supply of a suitable disinfectant for disinfecting any dejecta when a flush closet is not accessible.

(c) Each time after using the toilet I agree to wash my hands with plenty of soap and water before touching directly taps, door knobs, spigots, handles, or vessels, etc., and to dry my hands well and not permit others to use my soap or towels.

(d) I agree to avoid, if possible, having a movement of my bowels except into a regular flush or fly-proof toilet so situated that wells or other sources of water used for drinking, domestic, or other purposes will not be polluted at my home or place of business when practicable. If I have only an outdoor privy to use, I agree to keep it fly proof and disinfected with chloride of lime or quicklime.

when practicable. If I have only an outdoor privy to use, I agree to keep it fly proof and disinfected with chloride of lime or quicklime.

(c) I agree to take every precaution possible to avoid the soiling of my hands or anything else with my dejecta, either directly or indirectly. I agree to disinfect my underclothing with a suitable disinfectant before sending it to the laundry.

(f) I agree not to live with persons who have not been immunized against typhoid or paratyphoid fever within two years.

(g) I agree to inform the local health officer of any contemplated changes of residence, giving location and street address, so that he can notify the Illinois Department of Public Health and obtain their approval.

(h) I agree to submit specimens of feces and urine for examination when requested by the Illinois Department of Public Health.

(i) I agree to fill out a report blank similar to the appended form when submitted to me semiannually or annually and return the same to the Illinois Department of Public Health.

Nam	9
Addı	ess

SEMIANNUAL REPORT BLANK

ILLINOIS DEPARTMENT OF PUBLIC HEALTH, Springfield, Ill.

GENTLEMEN: I have during the last six months complied to the best of my knowledge and ability with the nine separate agreements entered into between myself and the Illinois Department of Public Health. Precautions involved in these separate agreements, I understand, are for the purpose of preventing the spread of typhoid or paratyphoid infection.

Address
Name

Dated____

[Rule XVI is the same as Rule XIII of the poliomyelitis regulations except that paragraphs 3 and 4 of Rule XIII of the poliomyelitis regulations have been omitted.]

Tuberculosis—Terms Defined—Reports of Cases—Protection of Children Against—Hospitalization—Isolation—Placarding—Precautions by Patient— Inspection of Patient's Home—Removal of Cases—Employment in and Attendance at Schools of Open Cases—Sale and Handling of Milk and Bakery Products—Employment of Open Cases in Certain Occupations—Disinfection. (Reg. Dept. of Public H., Effective July 1, 1927)

[Rule I is the same as Rule I of the poliomyelitis regulations, except that paragraph 5 is changed and paragraph 15 added. Tuberculosis is substituted for poliomyelitis. Paragraphs 5 and 15 are as follows:]

5. Isolation.—By isolation is meant the separating of a person or persons suffering from tuberculosis from other persons in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

15. Tuberculosis—Open cases.—The term "open cases" of tuberculosis as employed in these rules and regulations shall apply to the following types of

cases:

(a) All cases of pulmonary tuberculosis or consumption who produce sputum containing tubercle bacilli.

(b) All cases of tuberculosis other than the pulmonary form in which the

tubercle bacilli are found in the discharge from the diseased process.

(c) All known cases of pulmonary tuberculosis or consumption, until three specimens of sputum which are negative to tubercle bacilli have been submitted at weekly intervals for three consecutive weeks and examined in a laboratory recognized by the Illinois Department of Public Health.

(d) All known cases of pulmonary tuberculosis or consumption in which a positive sputum has been obtained shall be considered as "open cases" for at least a period of three months, and thereafter until three successive specimens of sputum, collected at intervals of one week, shall have been found to contain

no tubercle bacilli upon examination at a laboratory recognized by the Illinois Department of Public Health, the physical examination of the patient indicating that the type of tuberculosis present in the patient be such as would coincide with the findings of a negative sputum.

RULE II. Reports.-[Paragraphs 1, 2, and 3 are the same as paragraphs 1, 2,

and 3 of Rule II of the poliomyelitis regulations.]

4. The physician attending a case of tuberculosis (pulmonary) or consumption shall advise the patient and the members of the family and household as to the nature of the disease and as to the means whereby infection may be avoided, especially as to the isolation of "open cases" of tuberculosis, the proper disposal of sputum, the control of cough, and the avoidance by healthy persons of the use of articles that have been used by the person having tuberculosis.

5. Suspect cases of tuberculosis shall be considered as having active tuberculosis until they have been definitely proven to be nontuberculous by physical examinations and such recognized laboratory methods as are considered essen-

tial by the director of public health or his local representative.

[Paragraph 6 is the same as paragraph 8 of Rule II of the poliomyelitis

regulations.]

Rule III. Isolation of "open cases"—Hospitalization.—1. No child under 16 years of age shall be accepted as a patient in any general hospital or institution for the care of the sick if such hospital or institution accepts as patients "open cases" of tuberculosis; unless such open cases of tuberculosis are housed in a separate and distinct division of the hospital and cared for in such a way that children while being treated in such hospital or institution will not be exposed to this disease.

2. No child under 16 years of age shall live in the same home, apartment, or other place of abode or habitation occupied by a person suffering from active or open pulmonary tuberculosis (consumption) unless proper precautions are being observed as required by Rule IV, and unless there is no contact between the person suffering from active or open pulmonary tuberculosis and other

members of the family.

3. All "open" cases of tuberculosis, in the care of which the necessary precautions to prevent conveyance of the infection to others directly or indirectly as detailed in Rule IV, are not being taken by the patient or attendant, shall be hospitalized if hospital facilities for this class of patients are available, or shall be effectively isolated on the premises and all contacts under 16 years of age removed from such premises. Where such person is isolated, the isolation quarters shall be appropriately and conspicuously placarded with a red warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold face type at least the following: "Tuberculosis" in type not less than 1½ inches in height, and "Keep out" in similar type not less than 1 inch in height. At the bottom of the card shall appear the words in small type "Any person who violates these rules subjects himself to a fine of not to exceed \$200 for each offense, or imprisonment in the county jail not to exceed six months, or both."

4. This warning card shall not be concealed from public view, shall not be mutilated or defaced, and shall remain posted on these premises until removed by the local or State health authorities. Placard shall not be removed by the local or State health authorities until such time as satisfactory assurance can be given that these precautions will be strictly observed thereafter.

Rule IV. Conduct.—1. No person suffering from active or open tuberculosis, as defined in Rule I, shall occupy the same room as a bedchamber or sleeping room with any other person or persons unless such person or persons are suffering also from the same form of tuberculosis. This rule does not, however, apply to well adult persons acting as nurse or attendant under the direction of a legally qualified physician.

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2. The sputum raised and ejected by a tuberculous person or consumptive

shall be destroyed or rendered sterile-

(a) By removing the sputum from the mouth by means of tissue paper, paper napkin, or clean cloth, and subsequently burning such paper or cloth,

(b) By depositing the sputum in a paper or cardboard sputum cup or container and subsequently burning the container without using same after it has once been emptied of sputum, or

(c) By depositing the sputum in glass, china, porcelain, or metal sputum cups or sputum flasks, which are to be emptied only after being treated with a

strong solution of carbolic acid, lysol, bichloride of mercury, or some other efficient disinfectant.

In case a glass, china, porcelain, or metal sputum cup or flask is employed, either as holder or sputum cup directly, it should be cleansed after use with a strong disinfectant or boiled for a period of not less than 15 minutes.

3 A tuberculous person or consumptive shall not spit upon floors, streets, walks, or other public or private places, nor should such person use spittoons or dispose of his sputum in any other way than as prescribed heretofore.

4. A tuberculous person or consumptive shall not cough without covering his mouth with paper, cloth, or other material, which paper, cloth, or material should be promptly burned.

5. No person suffering from open tuberculosis or consumption, as defined in Rule I, shall engage in nursing, attendance, or care of children or sick persons, or in the handling of food for the public.

6. Kissing shall be prohibited.

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7. The patient shall be supplied with his own dishes and other food utensils, drinking cups, towels, and all other articles that may become soiled with oral and nasal discharges and same be properly disinfected or destroyed upon termination of case.

8. It is the duty of the local health authority to enforce the observance of these precautions by persons suffering from active or open tuberculosis or consumption. He shall ascertain whether the precautions required to be taken are thoroughly understood by patient, attendant, and members of the household, and shall place in the hands of the patient, or person responsible for the care of the same, a copy of these rules and regulations.

RULE V. Inspection.—It shall be the duty of the local health authority, upon receiving a report of a case of pulmonary tuberculosis or consumption, to visit and inspect, or to cause to be visited and inspected, by a duly authorized and competent agent, at such intervals as are practicable and necessary, the home of the patient to satisfy himself that reasonable precautions are being taken for the protection of the public and of the members of the household.

RULE VI. Removals.—1. No person suffering from open tuberculosis shall be removed from the premises on which found unless consent to such removal be first obtained from the local health authorities or from the Illinois Department of Public Health.

2. No person suffering from open tuberculosis shall be removed from one health jurisdiction to another except by authority of the local health authorities from which and to which removal is desired. Notification of such removal, giving name and address of patient before and after removal, should be sent immediately thereafter to the Illinois Department of Public Health. Where patient desires to move to another State, permission should first be obtained from the Illinois Department of Public Health and the health authorities of State to which removal is desired as well as from the local health authorities.

3. It is the duty of the owner or agent of any premises in which a patient suffering from active open tuberculosis or consumption has resided to promptly notify the local health officials of the death or removal of the tuberculous person or consumptive, and such owner or agent shall not rent, lease, or sell such premises or permit same to be occupied by any other person or persons than the family or household of the tuberculous person or consumptive until the premises have been disinfected as hereinafter provided.

4. Release from sanatoria, hospitals, and other institutions.—Release of open cases from such institutions is prohibited, except with the consent of local health officer in whose jurisdiction such institution is located and consent of local health officer in whose jurisdiction such open case expects to reside be obtained. Prior to granting a permit for removal of such case, the health officer of jurisdiction in which the patient expects to reside shall cause an investigation to be made and ascertain if premises are suitable for effective isolation. No case of open tuberculosis shall be removed to premises other than his own home where children under 16 years reside. Furthermore, each case of open tuberculosis that has been in hospital or sanatorium and goes back home shall register with the health department.

RULE VII. Exclusion from schools.—1. No person suffering from an open form of tuberculosis as defined in Rule I shall be employed as a teacher in any school, nor shall such a tuberculous or consumptive person be employed or be permitted to serve in any capacity in or about a school building.

2. No child or young person suffering from an open form of tuberculosis shall be permitted to attend school or mingle with other well children in or

about school buildings or elsewhere.

3. Any teacher or person employed in or about a school building who is suspected, on reasonable evidence, to be suffering from open pulmonary tuberculosis shall be required to submit to a thorough physical and bacteriological examination and shall be subject to the same rules and regulations as provided for

in "open cases" until proven noncontagious.

RULE VIII. Sale of milk, groceries, and provisions.—1. Whenever an open case of tuberculosis or consumption is found to exist on premises where milk, breads, and pastries are either produced, handled, or sold, the sale, exchange, or distribution in any manner whatsoever of any milk or milk products, breads, and pastries is strictly prohibited until the case is terminated by arrest of the disease or by removal or death and the premises have been thoroughly disinfected: Provided, That when in the opinion of the health officer, based upon personal inspection of the premises, the individual suffering from active open tuberculosis or consumption is so isolated that he does not come in contact with any milk or milk products, breads, and pastries offered for sale, barter, exchange, or distribution, and does not come into the room or rooms in which such drinks or foodstuffs are stored, held, or offered for sale, barter, exchange, or distribution, and where all other precautionary measures are carried out in such a way as to safeguard the public and the members of the household, the health officer may, at his discretion, modify the provisions of this paragraph.

2. Sale of milk and dairy foodstuffs is allowed, provided-

(a) Patient and attendant are effectively isolated.

(b) And milk is shipped to a pasteurizing plant certified by the Illinois

Department of Public Health.

3. A person suffering from an open case of tuberculosis will not be permitted to engage in any manner in the handling or preparation of milk or milk prodducts, breads, and pastries until it has been ascertained that such person is not an open case and is in no danger of spreading the infection.

RULE IX. Place of employment.—No person suffering from open tuberculosis shall be employed in any commercial enterprise where atmosphere is laden with

dust and other irritating particles.

RULE X. Concurrent disinfection.—1. Soiled body or bed clothing, eating utensils, and other articles used by the patient or attendants shall be disinfected by boiling or by immersion in an approved disinfecting solution. The disinfection of discharges and of contaminated articles as above provided shall be continued throughout the period of isolation.

2. The nose, lips, cheeks, and hands of the patient shall be frequently washed

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3. Immediately after handling the patient or articles contaminated with the patient's secretions, the attendant shall thoroughly wash and cleanse the

4. Floors, furniture, and woodwork should be wiped up daily with a disinfecting solution. The room should be free from carpets, draperies, and other un-

necessary furnishings.

RULE XI. Terminal disinfection .- 1. Fumigation: At the discretion of the local health officer, fumigation shall be done in the manner prescribed by the Illinois Department of Public Health.

[Paragraphs 2, 3, 4, and 5 are the same as paragraphs 2, 3, 4, and 5 of Rule XII of the poliomyelitis regulations.]

Measles and Whooping Cough—Placarding—Quarantine Period for Whooping Cough—Incubation Periods—Attendance at School and Gatherings of Non-immune Contacts. (Reg. Dept. of Public H., February 1, 1927)

[The regulations for the control of measles and whooping cough, revised February 1, 1927, are the same as the 1925 regulations,15 with the following excep-

tions. Rule IV was changed to read as follows:]

RULE IV. Placarding.—Whenever a case of measles or whooping cough is reported to the local health authority he shall forthwith institute quarantine and shall affix at the outside of all entrances to the building, house, or flat, as the case may be, or if in a hotel or hospital room, at the outside entrances to the

³⁸ Supplement 59 to Public Health Reports, p. 117.

room or rooms occupied by the patient, a white warning card not less than 6 by 10 inches in size, on which shall be printed in black with bold-face type at least the following: "Measles," or "Whooping cough," in type not less than 11/2 inches in height, and "Keep out" in similar type not less than 1 inch in height.

Defacement of such placards, or their removal by any other than the local health authority, or a duly authorized representative of the Illinois Department of Public Health, is strictly prohibited.

[Rule V was changed so as to provide that the minimum quarantine period for cases of whooping cough should be "until three weeks after the development of the characteristic whoop or paroxysmal cough or until one week after the characteristic whoop or paroxysmal cough has disappeared," and also to provide that the incubation periods should be 14 days for measles and 10 days for whooping cough. The last paragraph of Rule VII was changed to read as follows:1

Every nonimmune child who is not an inmate of the quarantined household but has been exposed to a case of measles or whooping cough shall be excluded from all public, private, or Sunday schools and from every public or private gathering of children for a period of time corresponding with the incubation period of the disease to which exposed, dating from date of last exposure: Provided, however, In communities with a full-time medical health officer and maintaining an efficient health organization or those cities having adequate school inspection, the Illinois Department of Public Health may, upon written application, permit nonimmune pupils, teachers, and other persons employed in or about a school building with a definite date of exposure to a case of measles or whooping cough in a schoolroom to continue at school for seven days from such definite date of exposure before being excluded from school. Such exposures shall be seen daily by the local health officer or a duly qualified representative of the local health authorities or of the school-inspection department of the board of education until such time as they are excluded, that being the seventh day from date of exposure. They may then only return upon presentation of a certificate of health issued by the local health authority, if he is a physician, or by a physician appointed or employed by the local health authority or by the school physician or by a physician countersigned by the local health authority or his duly authorized agent.

Rabies-Prevention of Spread-Powers of Department of Agriculture. (Laws 1927, p. 27, Act July 8)

Section 1. For the purposes of this act the term "dog" includes all animals

of the canine species, both male and female.

SEC. 2. Whenever a case of rabies has occurred in a locality the department of agriculture shall have power, and it shall be its duty, to prevent the spread of rabies among dogs. The department of agriculture shall have power to order that all dogs in the locality be-

1. Locked up; or

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2. Restrained by a leash; or 3. Muzzled; and to further order

4. All owners of dogs to take such phophylactic measures as the department

of agriculture may deem necessary to prevent the spread of rabies.

The department of agriculture shall have power to determine the area of the locality and the duration of the locking up, restraining, muzzling, and prophylactic or preventive measures.

Sec. 3. Any or all the orders of section 2 of this act which may be ordered by the department of agriculture shall be at the expense of the owner of such dog, and if the owner fails or refuses to comply with the orders of the department of agriculture it shall be the duty of the police officers, sheriffs, constables, or marshals to kill such dog.

SEC. 4. Any officers failing, refusing, or neglecting to carry out the provisions of this act shall, upon conviction, be fined not less than \$10 nor more than \$50.

County Tuberculosis Hospitals—Establishment and Maintenance. (Laws 1927, p. 377, Act July 7)

[This act amends sections 1 and 2 of act 16 June 28, 1915, laws 1915, page 346, as amended, to read as follows:]

SECTION 1. That the county board of each county of this State shall have the power, in the manner hereinafter provided, to establish and maintain a

¹⁶ Reprint 338 from Public Health Reports, p. 202.

county tuberculosis sanitarium, and branches, dispensaries, and other auxiliary institutions connected with the same, within the limits of such county, for the use and benefit of the inhabitants thereof, for the treatment and care of persons afflicted with tuberculosis, and shall have the power to levy a tax not to exceed 1 mill on the dollar annually on all taxable property of such county, such tax to be levied and collected in like manner with the general taxes of such county, and to form, when collected, a fund to be known as the "Tuberculosis sanitarium fund," which said tax shall be in addition to all other taxes which such county is now, or hereafter may be, authorized to levy on the aggregate valuation of all property within such county, and the county clerk, in reducing tax levies under the provisions of section 2 of an act entitled "An act to amend section 2 of an act entitled 'An act concerning the levy and extension of taxes, approved May 9, 1901, in force July 1, 1901, as amended by an act approved March 29, 1905, in force July 1, 1905," approved June 14, 1909, in force July 1, 1909, shall not consider the tax for said tuberculosis sanitarium fund, authorized by this act, as a part of the general tax levy for county purposes, and shall not include the same in the limitation of 1 per cent of the assessed valuation upon which taxes are required to be extended: Provided, That in order to secure greater working efficiency any county maintaining a tuberculosis sanitarium may convey the property acquired for such purpose, or any part thereof, or any interest there in, to any other county or counties adjacent thereto upon such terms and conditions as the respective county boards thereof shall agree on by a majority vote of all the members of each of said county boards.

Sec. 2. When 100 legal voters of any county shall present a petition to the county board of such county asking that an annual tax may be levied for the establishment and maintenance of a county tuberculosis sanitarium in such county, such county board shall instruct the county clerk to, and the county clerk shall, in the next legal notice of a regular general election in such county, give notice that at such election every elector may vote "For the levy of a tax for a county tuberculosis sanitarium," or "Against the levy of a tax for a county tuberculosis sanitarium," and provision shall be made for voting on such proposition, in accordance with such notice, and if a majority of all the votes cast upon the proposition shall be for the levy of a tax for a county tuberculosis sanitarium the county board of such county shall thereafter annually levy a tax of not to exceed 1 mill on the dollar, which tax shall be collected in ike manner with other general taxes in such county and shall be known as the "Tuberculosis sanitarium fund," and thereafter the county board of such county shall, in the annual appropriation bill, appropriate from such fund such sum or sums of money as may be deemed necessary to defray all necessary expenses and

liabi ities of such county tuberculosis sanitarium.

Tuberculosis Hospitals in Cities and Villages—Establishment and Maintenance—Tax for. (Laws 1927, p. 331, Act July 7)

[This act amends sections 1, 2, and 16 of act March 7, 1908, laws 1908, page

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43, as amended, to read as follows:]

SECTION 1. That the city council of cities and boards of trustees in villages in this State shall have the power, in the manner hereinafter provided, to establish and maintain a public sanitarium and branches, dispensaries and other auxiliary institutions connected with same within or without the limits of such cities and villages, for the use and benefit of the inhabitants of such city or village for the treatment and care of persons afflicted with tuberculosis and shall have the power to levy a tax not to exceed one-half of 1 mill on the dollar annually on all taxable property of such city or village of less than 75,000 population, and not to exceed 1 mill on the dollar annually on all taxable property of such city or village of from 75,000 to 200,000 population, and not to exceed six-tenths of 1 mill on the dollar annually on all taxable property of such city or village of more than 200,000 population, of which tax in such city of more than 200,000 population the proceeds of not more than one-sixteenth of 1 mill during the two years beginning with the year 1927 shall be used exclusively for the construction and equipment of such new buildings as may from time to time be required as additions to the public sanitarium provided for herein; such tax to be levied and collected in like manner with the general taxes of the city or village and to be known as the "Tuberculosis sanitarium fund," which said tax shall be in addition to all other taxes which such city or village is now or hereafter may be authorized to levy upon the aggregate valuation of all property within such city or village, and shall be in addition to the amount authorized to be levied for general purposes as provided by section 1 of Article VIII of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and all amendments thereto, and the county clerk in reducing tax levies under the provisions of section 2, of an act entitled "An act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, as subsequently amended, shall not consider the tax for said tuberculosis sanitarium fund authorized by this act as a part of the general tax levy for city or village purposes, and shall not include the same in the limitation of 1 per cent of the assessed valuation upon which taxes are required to be extended.

Sec. 2. When 100 legal voters of any such city or village shall present a petition to the city council or board of trustees of such city or village, as the case may be, asking that an annual tax may be levied for the establishment and maintenance of a public tuberculosis sanitarium in such city or village, such city council or board of trustees, as the case may be, shall instruct the city or village clerk to, and such city or village clerk shall, in the next legal notice of the regular (annual) election in such city or village, give notice that at such election every elector may vote "for the levy of a tax for a public tuberculosis sanitarium." or "against a levy of a tax for a tuberculosis sanitarium," and if the majority of all the votes cast upon the proposition is that such city or village shall be "for the tax for a public tuberculosis sanitarium," the city council or board of trustees of such city or village shall thereafter annually levy a tax of not to exceed one-half of 1 mill on the dollar, 1 mill on the dollar, or six-tenths of 1 mill on the dollar, as the case may be, which tax shall be collected in like manner with other general taxes in such city or village and shall be known as the "Tuberculosis sanitarium fund," and thereafter the city council or board of trustees, as the case may be, of such city or village shall include and appropriate from such fund in the annual appropriation bill such sum or sums of money as may be deemed necessary to defray all necessary expenses and liabilities of such tuberculosis sanitarium.

Sec. 16. Where a tuberculosis sanitarium organized under the provisions of this act is being maintained in any city, or village of less than 75,000 inhabitants, the tax levy for the support of such sanitarium so maintained may be increased to a sum not to exceed two-thirds of 1 mill on the dollar and when so increased shall be levied and collected as hereinbefore provided.

Public Health Districts—Powers and Duties of Boards of Health. (Laws 1927, p. 700, Act July 7)

[This act amends section 15 of act ** filed June 26, 1917, laws 1917, page 763, as amended, to read as follows:]

SEC. 15. Each board of health shall have power and it shall be its duty:

1. To hold an annual meeting on the second Tuesday in April of each year, at which meeting officers shall be elected for the ensuing year;

2. To hold meetings quarterly on the second Tuesday of January, April, July, and October;

3. To hold special meetings upon a written request signed by two members

and filed with the secretary;
4. To levy annually, in addition to all other taxes which are now or hereafter may be authorized to be levied on the aggregate valuation of all property within the public health district, a special "public health tax," not to exceed 1½ mills on the dollar on all taxable property embraced within such public health district, according to the valuation of the same as made for the purpose of State and county taxation, to form, when collected, a fund to be known as the "public health fund":

5. To appoint a public health officer from a list of eligibles supplied by the State department of public health;

6. To appoint, upon the advice and approval of the public health officer, such nurses, chemists, experts, clerks, and assistants as the public health officer may deem necessary:

7. To fix the compensation of the public health officer, which shall in no case be less than \$1,500;

8. To establish, equip, and maintain an analytical, biological, and research laboratory;

¹⁷ Supplement 37 to Public Health Reports, p. 128.

9. To provide, equip, and maintain suitable offices, facilities, and appliances

for the health officer and his assistants;

10. To pay from the "public health fund" the salary of the public health officer and the salaries of all appointees and employees and the expense of maintenance of the public health department, including therein the expense of administering the sanitation and health laws and ordinances;

11. To acquire and hold, in the name of the public health district, real estate

and personal property;

12. To receive contributions of money or property;

13. To publish annually, on or soon after the second Tuesday in April, in pamphlet form, for free distribution an annual report showing the condition of their trust on the 1st day of April of that year, the sums of money received from taxation and from other sources, giving the name of the donor, how all moneys have been expended and for what purpose, and such other statistics and information in regard to the work of the health department as they may deem of general interest.

Mosquito Abatement Districts—Organization, Government, Powers, Duties, Enlargement, and Dissolution. (Laws 1927, p. 694, Act July 7, as Amended by Laws 1927, p. 699, Act July 7)

Section 1. Any contiguous territory having a population of not less than 300 inhabitants and no part of which is already included in a mosquito abatement district may be organized as a mosquito abatement district in the follow-

ing manner:

Any 5 per cent of the legal voters within the limits of the proposed mosquito abatement district may petition the county judge of the county in which such territory lies to cause the question whether such territory shall be organized as a mosquito abatement district under this act to be submitted to the legal voters of such territory, but every petition shall be signed by at least 25 legal voters residing within the territory proposed to be organized as a mosquito abatement district, and in case such territory includes more than one city, village, or incorporated town, or any portions thereof, or includes one or more cities, villages, or incorporated towns or any portion thereof and territory not a part of any city, village, or incorporated town, then such petition must be signed by at least 5 per cent of the legal voters residing in each of the said cities, villages, or incorporated towns, or portions thereof, and by at least 5 per cent of the legal voters residing in the territory not a part of any city, village, or incorporated town. Such petition addressed to the said county judge shall contain a definite description of the boundaries of the territory proposed to be organized as a mosquito abatement district, and shall set forth the name of the proposed district, which name shall be the

SEC, 2. Upon the filing of such a petition in the office of the county clerk the county judge to whom the petition is addressed shall give notice of the time and place of a hearing on the question of the necessity for the organization of such a district and of the boundaries of such district. The notice shall be published at least once each week for two weeks in one or more newspapers of general circulation in the proposed district, and a copy of the notice shall be posted in at least 10 of the most public places in such district at least 10 days before such hearing. The hearing shall be held within 20 days after

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the petition is filed with the county clerk.

The county judge shall preside at such hearing, and all persons resident within the territory proposed to be organized as a mosquito abatement district shall be given an opportunity to be heard touching the necessity of the organization of such a district and to make suggestions regarding the boundaries of such district. After hearing the statements, evidence, and suggestions if the county judge determines that considerations of public health and welfare make the organization of such a district necessary he shall fix the boundaries of the proposed mosquito abatement district and for that purpose and to that extent he may alter and amend the petition. In case the boundaries as fixed by the county judge include any territory not included in the boundaries as described in the original petition, the county judge shall cause a notice to be inserted at least twice in some newspaper of general circulation in such additional territory, which notice shall state the time and place at which a hearing will be held to permit the owners of the land in such addi-

tional territory to appear and be heard on the question of including the additional territory. The notice shall be published at least 10 days before such hearing, and such hearing shall be held within three weeks after the county judge first fixes the boundaries. At such hearing the boundaries of the proposed district shall be finally fixed by the county judge. The decision of the county judge as to the boundaries of the district shall be conclusive and not subject to review.

SEC. 3. The determination of the county judge as to the necessity for the organization of the proposed mosquito abatement district, together with the description of the boundaries of such district as fixed by such judge, shall be spread at length upon the records of the county court. Thereupon the county judge shall submit the question of the organization of the territory included within the boundaries fixed by him as a mosquito abatement district to the legal voters resident within such territory at an election to be held within 30 days after the entry of such determination upon the records of the county court. Notice of such election shall be given by the county judge by a publication inserted at least twice each week for three weeks prior to such election, in one or more newspapers of general circulation in such proposed district, and by posting a copy of such notice in at least 10 of the most public places in such district at least 15 days before such election. The notice of such election shall state the purpose of the election, describe the territory proposed to be organized as a mosquito abatement district, and state the time and place for holding such election.

The county judge shall establish one or more polling places in the territory proposed to be organized as a mosquito abatement district, and shall appoint two judges for each polling place. The ballots used at such election shall be in

substantially the following form:

Shall the territory (describing it) be organized as the Mosquito Abatement District?	Yes
	No

The judges of such election shall make return thereof to the county judge, who shall canvass such returns and cause a statement of the result to be entered on the records of the county court.

In case the territory proposed to be organized as a mosquito abatement district lies in two or more counties the duties of the county judge under this act shall be performed by the county judges of the counties acting concurrently.

Sec. 4. If a majority of the votes cast on the question are in favor of the organization of the territory as a mosquito abatement district such territory shall thenceforth be deemed an organized mosquito abatement district under this act. The district so organized shall have the name set forth in the petition and by such name may transact all corporate business. Such district shall constitute a body corporate and politic and exercise the powers herein prescribed. All courts of this State shall take judicial notice of the organiza-

tion of the said mosquito abatement district.

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Sec. 5. Within 10 days after the organization of any mosquito abatement district under the provisions of this act the county judge shall appoint a board of trustees, consisting of five members, for the government and control of the affairs and business of such mosquito abatement district. Of the trustees thus appointed three shall hold office until the second Monday in December after the next succeeding general election for members of the general assembly and two shall hold office until the second Monday in December, two years after the next succeeding general election for members of the general assembly, and until their successors are appointed and qualified. Thereafter the trustees of the district shall be appointed in every year in which the term of any of the trustees expires and shall hold office for four years and until their successors are appointed and qualified. Each trustee shall be a legal voter in the district, and such trustees shall serve without compensation.

Whenever a vacancy occurs in the said board of trustees the county judge shall appoint some person to fill the remainder of the unexpired term.

Sec. 6. The trustees appointed in accordance with the foregoing provisions shall constitute a board of trustees for the mosquito abatement district for

which they are appointed, and such board of trustees is declared to be the corporate authority of said district and shall exercise all of the powers and control all of the affairs and property of such district. Such board of trustees may provide and adopt a corporate seal. Immediately after their appointment and at their first meeting in December of each year thereafter the board of trustees shall elect one of their number as president, one as secretary, and one as treasurer, and shall elect such other officers as may be necessary. The board of trustees shall provide for the time and place of holding its regular meetings, and may establish rules for its proceedings. Special meetings may be called by the president of the board or by any three trustees, but each member of the board shall be given notice of such special meeting at least three hours prior thereto. All of the meetings of such board, whether regular or special, shall be open to the public. A majority of the board of trustees shall constitute a quorum but a smaller number may adjourn from day to day. Said board shall keep a regular book of records of all of the proceedings of said board, which book shall be open to the inspection of any person residing

in said district at all reasonable and proper times.

SEC. 7. The board of trustees of such district shall have power to take all necessary or proper steps for the extermination of mosquitoes, flies, or other insects within the district, and, subject to the paramount control of the municipal or other public authorities, to abate as nuisances all stagnant pools of water and other breeding places for mosquitoes, flies or other insects within the district; to purchase such supplies and materials and to employ such labor and assistants as may be necessary or proper in furtherance of the objects of this act, and if necessary or proper, in the furtherance of the same, to build, construct and thereafter to repair and maintain necessary levees, cuts, canals, or channels upon any land within the district, and to acquire by purchase, condemnation or other lawful means, in the name of the district, any necessary lands, rights of way, casements [sic], property or material requisite or necessary for any such purpose; to make contracts to indemnify or compensate any owner of land or other property for any injury or damage necessarily caused by the exercise of the powers of this act conferred or arising out of the use, taking or damage of such property for any such purposes, and generally to do any and all things necessary or incident to the powers hereby granted and to carry out the objects specified herein.

SEC. 8. The board of trustees of any mosquito abatement district shall, in its work, advise and cooperate with the department of public health of the State, and the board of trustees of such district shall submit to such department, on or before January 1 of each year, a report of the work done and

results obtained by the district during the preceding year.

SEC. 9. Any mosquito abatement district organized under the provisions of this act may levy and collect a general tax on the property situated in such district, but the aggregate amount of taxes levied for any one year shall not exceed the rate of one-half of 1 mill on each dollar of taxable property in said district on the aggregate valuation as equalized for State and county taxes for the preceding year. The board of trustees shall determine and certify the amount to be levied and shall return the same to the county clerk. The county clerk in reducing the tax levies under the provisions of section 2 of "An act concerning the levy and extension of taxes," approved May 9, 1901, as amended, shall not include the said tax authorized by this act in the limitation of 1 per cent of the

assessed valuation upon which taxes are required to be extended.

In case the said district is located in more than one county the board of trustees shall determine and certify the amount to be levied upon the taxable property lying in each county and return the same to the respective county clerks of the counties in which the amount is to be levied: Provided, That in order to determine the amount to be levied upon the taxable property of that part of the district lying in each county the board shall ascertain from the county clerk of the respective counties in which the district lies, the last ascertained equalized value of the taxable property of such district lying in their respective counties, then shall ascertain the rate per cent required and shall, accordingly, apportion the whole amount to be raised between the several parts of the district so lying in the different counties. The tax herein provided for shall be levied at the same time and in the same manner as nearly as practicable as taxes are now levied for city and village purposes under the laws of this State.

All such general taxes when collected shall be paid over to the treasurer of the board of trustees who is authorized to receive and receipt for the same.

Sec. 10. Any territory lying adjacent and contiguous to a mosquito abatement district, and not part of another mosquito abatement district, may be annexed

to such district in the following manner:

Upon petition in writing, describing the territory proposed to be annexed and signed by a majority of the legal voters in such territory and by the owners of more than half of the taxable property in such territory as shown by the last ascertained equalized value of the taxable property in such territory, being filed with the trustees of such mosquito abatement district, such trustees shall submit the question of the annexation of such territory to the legal voters of such district at the next regular election therein or at a special election called within 60 days after said petition is filed with the board of trustees; but if the petition is presented to such board of trustees within 90 days prior to a regular election no special election shall be called. Notice of such election shall be given by a publication inserted at least once each week for three weeks in some newspaper of general circulation in such district. The proposition shall be stated, "Shall the territory (describing it) be annexed to the _____ mosquito abatement district?" If the majority of all the votes cast on the question at such election are in favor of such annexation, the board of trustees shall so certify to the county clerk, and within 10 days of such election the trustees by an order duly entered upon their records shall annex such territory to the district and shall file a map of the annexed territory in the office of the county clerk of the county where the annexed territory is situated. Thereupon such territory shall be deemed annexed to and shall be a part of such

mosquito abatement district.

SEC. 11. Any mosquito abatement district organized under the provisions of this act may be dissolved and discontinued upon like petition, hearing, and election as is provided in this act for the organization of such district. If a majority of the votes cast on the question at such election are in favor of such dissolution, the county judge shall enter an order on the records of the county court dissolving such district. The trustees of such mosquito abatement district shall immediately proceed to wind up the affairs of such district and shall have the same powers as before dissolution to levy taxes for the purpose of paying the debts, obligations, and liabilities of such mosquito abatement district outstanding on the date of such dissolution and the necessary expenses of closing up the affairs of such district. All property of such district shall be sold and in case any excess remains after all liabilities of such district are paid such excess shall be paid to the various common school districts located in such mosquito abatement district ratably in the proportion that the taxable value of all the property in each of the school districts bears to the taxable

value of all the property in the mosquito abatement district.

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SEC. 12. The invalidity of any part or portion of this act shall not affect the validity of the remaining part thereof.

Civil Administrative Code—Appointment and Duties of Executive Officers— Designation of Acting Director of Department. (Laws 1927, p. 844, Act July 6)

[This act, among other things, amends sections 11 and 12 of act ¹⁸ March 7, 1917, laws 1917, page 2, as amended, to read as follows:]

Sec. 11. Each officer provided for by this act shall perform such duties as may be prescribed by law for his position and to the best of his ability shall render faithful and efficient service in the performance of his duties, to

the end that the public interest and welfare may be furthered.

Sec. 12. Each officer whose office is created by this act, or by any amendment thereto, shall be appointed by the governor, by and with the advice and consent of the senate. In case of vacancies in such offices during the recess of the senate, the governor shall make a temporary appointment until the next meeting of the senate, when he shall nominate some person to fill such office; and any person so nominated who is confirmed by the senate shall hold his office during the remainder of the term and until his successor shall be appointed and qualified. If the senate is not in session at the time this act, or any amendments thereto, take effect, the governor shall make a temporary appointment, as in case of a vacancy.

¹⁸ Supplement 37 to Public Health Reports, p. 123.

During the absence or inability to act of the director of any department or in case of a vacancy in any such office until a successor is appointed and qualified, the governor may designate some person as acting director, to execute the powers and discharge the duties vested by law in such director.

Community Nurses in Certain Municipalities—Tax to Pay Compensation and Expenses of. (Laws 1927, p. 233, Act July 7)

[This act amends section 2 of act 19 June 30, 1925, laws 1925, page 193, to

read as follows:1 SEC. 2. Such city may levy a tax of not more than three-twentieths mill on the dollar of assessment valuation of all property in such city to provide revenue for the salary of any expenses incident to the performance of the

duties of the community nurses.

Such tax shall be in addition to the maximum of taxes permitted under section 1 of Article VIII of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, as amended.

Food and Drink-When Deemed Misbranded. Extracts-Labeling. Milk, Cream, and Ice Cream Containers—Cleaning. Fines, Penalties, License Fees, etc., Collected Under Act—Payment into State Treasury. Food—Sale Unlawful When Adulterated, Misbranded, or Violative of Act. (Laws 1927, p. 539, Act June 29)

[This act amends, among others, sections 9, 12, 17, 36, 39a, and 40a of act

May 14, 1907, laws 1907, page 543, as amended, to read as follows:]

SEC. 9. The term "misbranded," as used herein, shall apply to all articles of food or drink or articles which enter into composition of food or drink, the packages or labels of which bear any statement, design or device regarding such article or the ingredients or substance contained therein which shall be false or misleading in any particular; and to any such products which are falsely branded as to manufacturer, packer, or dealer who sells the same or as to the State, Territory, or country in which it is manufactured or produced. That for the purpose of this act an article shall also be deemed to be mis-

In case of food: First. If it be an imitation of or offered for sale under the distinctive name of another article, or if it does not conform to the stand-

ards set forth in this act.

Second. If it be so labeled or branded as to make the identity of the manufacturer, packer, or dealer who sells or offers the same for sale uncertain or doubtful; or which is so labeled or branded as to indicate on the receptacle, vessel, or container the name of any firm or corporation other than the firm or corporation actually manufacturing, packing, or dealing in the article or product so sold or offered for sale; or if it be labeled or branded so as to deceive or mislead the purchaser, or purports to be a foreign product when not so, or if the contents of a package as originally put up shall have been removed in whole or in part and refilled by contents of a different quality or of a different manufacturer, packer, or dealer, or if it shall fail to bear a statement on the label of the quantity or proportion of any morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilid, or any derivative or preparation of any such substance contained therein.

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Third. If in package form, the true quantity of the contents be not plainly and conspicuously marked on the outside of the package in terms of weight, measure, or numerical count: Provided, however, That reasonable variation shall be permitted and tolerances and also exemptions as to small packages shall be established by rules and regulations made in accordance with the pro-

visions of section 38 of this act.

Fourth. If it be a manufactured article of food or food sold in package form, and is not distinctly labeled, marked, or branded with the true name of the article and with either the name of the manufacturer and place of manufacture, or the name and address of the packer or dealer who sells the same, or if its label does not conform to the regulations set forth in this act.

Fifth. If the package containing it or its label shall bear any statement, design, or device regarding the ingredients of the substance contained therein,

¹⁹ Supplement 59 to Public Health Reports, p. 130.

which statement, design, or device shall be false or misleading in any particular: Provided, That an article of food which does not contain any added poisonous or deleterious ingredients shall not be deemed to be adulterated or mis-

branded in the following cases:

1. In case of mixture or compounds which may be now or from time to time hereafter known as articles of food under their own distinctive name, and which mixture or compound is not an imitation of or offered for sale under the distinctive name of another article, if the name be accompanied on the same label or brand with the name and address of the packer or dealer, and

the net measure of the contents,

2. In case of articles labeled, branded, or tagged so as to plainly indicate that they are compounds, imitations, or blends, and the word "compound," "imitation," or "blend," as the case may be, is plainly stated on the package in which it is offered for sale: Provided, That the term "blend," as used herein, shall be construed to mean a mixture of like substances, not excluding harmless coloring or flavoring ingredients used for the purpose of coloring or flavoring only, and, as applied to alcoholic beverages, only those distilled spirits shall be regarded as "like substances" which are distilled from the fermented mash of grain and are of the same alcoholic strength: And provided further, That nothing in this act shall be construed as requiring or compelling proprietors or manufacturers of proprietary foods which contain no unwholesome added ingredients to disclose their trade formulas, except in so far as the provisions of this act may require to secure freedom from adulteration or misbranding.

3. In the case of mixtures of corn sirup (glucose) or corn sugar (dextrose) or corn sugar sirup, with cane or beet sugar (sucrose) or cane or beet sugar sirup, in food, if the maximum percentage of corn sirup (glucose) or corn sugar (dextrose) or corn sirup in such article of food be plainly stated on

label.

SEC. 12. Extracts made of more than one principle shall be labeled in a conspicuous manner with the name of each principle, or else with the name of the inferior or adulterant; and in all cases when an extract is labeled with two or more names, such names must be in a conspicuous place on said label, and the name of one of the articles used shall not be given greater prominence than another: *Provided*, That all extracts which are not made from the fruit, berry, bean, or other part of the plant, and are made artificially, as raspberry, strawberry, etc., shall be labeled "imitation" in letters similar in size and immediately preceding the name of the article: *Provided further*, That prepared coconut, containing nothing other than coconut, sugar, and glycerine, shall be labeled as prepared coconut, and when so made need not be labeled "compound" or "mixture." Any such extract not labeled as herein provided for shall be deemed to be misbranded within the meaning of this act.

Sec. 17. Any person, firm, or corporation who receives from any other person, firm, or corporation any milk or cream, or ice cream, in cans, bottles, or vessels which are to be returned, shall cause the said cans, bottles, or vessels to be emptied before the said milk or cream or ice cream contained therein shall become sour, and shall cause said cans, bottles, or vessels to be immediately

washed and thoroughly cleansed and aired.

Sec. 36. All fines, penalties, and all proceeds collected from goods confiscated and sold under the provisions of this act and other laws relating to dairy and food products, and all license fees collected hereunder, shall be paid within 30 days after such collection to the department of agriculture, and by it paid into

the State treasury.

SEC. 39a. The sale of food which is adulterated or misbranded or which violates any of the provisions of this act is hereby prohibited; and whoever offers for sale, exposes for sale, or sells any food which is adulterated or misbranded or that violates any of the provisions of this act shall be guilty of a misdemeanor and punished as herein provided.

Sec. 40a. No action or prosecution shall be instituted against any person for a violation of the provisions of this act, unless the same shall have been com-

menced within one year from the taking of said sample.

Confectionery, Food, and Beverages—When Deemed Adulterated. (Laws 1927, p. 536, Act June 17)

[This act amends section 8 of act May 14, 1907, laws 1907, page 543, as amended, to read as follows:]

SEC. 8. That for the purpose of this act, an article shall be deemed to be

In case of confectionery: First. If it contains terra albo, barytes, talc. chrome yellow, paraffin, mineral fillers or poisonous substances, or poisonous color or flavor.

Second. If it contains any ingredient deleterious or detrimental to health or any vinous, malt, or spirituous liquor or compound, or narcotic drug.

In case of food: First, If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality, strength, or purity.

Second. If any substance has been substituted wholly or in part for the

Third. If any valuable constituent of the article has been wholly or in part abstracted or left out: *Provided*, That in the manufacture of skim or separated cheese the whole or part of the butterfat in the milk may be abstracted.

Fourth. If it be mixed, colored, powdered, coated, polished, or stained in any manner whereby damage or inferiority is concealed, or it is made to appear

better or of greater value than it really is.

Fifth. If it contains any poisonous or deleterious ingredient which may render such article injurious to health: Provided, That when in the preparation of food products for shipment they are preserved by an external application, applied in such a manner that the preservation is necessarily removed mechanically, or by maceration in water, or otherwise, and directions for the removal of said preservatives shall be printed on the covering of the package, the provisions of this act shall be construed as applying only when such products are ready for consumption; and formaldehyde hydrofluoric acid, boric acid, salicylic [acid] and all compounds and derivatives thereof are hereby declared unwholesome and injurious.

Sixth. If it consists in whole or in part of a filthy, decomposed or putrid, infected, tainted or rotten animal or vegetable substance or article, or any portion of an animal unfit for food, whether manufactured or not, or if it is the product of a diseased animal, or one that has died otherwise than by slaughter.

In the case of foods, beverages, or confectionery: First. If it is colored with any coloring matter or dye other than harmless vegetable colors or coal-tar colors permitted and approved by the United States Department of Agriculture.

Substitutes for Butter-Manufacture and Sale. (Laws 1927, p. 543, Act June 29)

[This act amends sections 1, 2, and 10 of act June 14, 1897, laws 1897, page

3, to read as follows:]

SECTION 1. That for the purpose of this act, "imitation butter" or "substitute for butter" is defined to be any product containing more than 1 per cent of water and any fat or oil other than that derived from milk or cream and made in the appearance or semblance of butter or designed to be used for any of the purposes for which butter is used: Provided, That the use of salt and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation.

SEC. 2. No person shall coat, powder or color with annatto or any coloring matter whatever any imitation butter or substitute for butter, whereby such substitute or product so colored or compounded shall be made to resemble butter,

the product of the dairy.

No person shall combine any animal fat or vegetable oil or other substance with butter, or combine therewith or with animal fat or vegetable oil, or combination of the two, or with either one, any other substance or substances, for the purpose or with the effect of imparting thereto a yellow color or any shade of yellow so that such substitute shall resemble yellow or any shade of genuine yellow butter, nor introduce any such coloring matter or such substance or substances into any of the articles of which the same is composed:

Provided, Nothing in this act shall be construed to prohibit the use of salt, rennet, and harmless coloring matter for coloring the products of pure milk

or cream from the same.

No person shall, by himself, his agents or employees, produce or manufacture any substance in imitation or semblance of natural butter, nor sell, nor keep for sale, nor offer for sale any imitation butter, made or manufactured, compounded or produced in violation of this section, whether such imitation butter shall be made in the State or elsewhere.

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This section shall not be construed to prohibit the manufacture and sale under the regulations hereinafter provided of substances designed to be used as a substitute for butter and not manufactured or colored as herein provided.

SEC. 10. Whoever shall violate any of the provisions of this act shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment in the county jail not to exceed 60 days for each offense, or by both fine and imprisonment, in the discretion of the court, or the fine alone may be sued for and recovered before any justice of the peace in the county where the offense shall be committed, at the instance of any person, in the name of the People of the State of Illinois as plaintiff.

All fines imposed and collected under this act shall be paid within 30 days after such collection to the department of agriculture and by it paid into the

State treasury.

Eggs—When Deemed Unfit for Human Food—Candling—Denaturing. (Laws 1927, p. 537, Act June 24)

[This act amends sections 1 and 8 of act * June 28, 1919, laws 1919, page

573. to read as follows:1

SECTION 1. That for the purposes of this act an egg shall be deemed unfit for human food if it be addled or mouldy, a black rot, a white rot, or a blood ring; or if it has an adherent yolk, or a bloody or green white; or if it be incubated beyond the blood ring stage; or if it consist in whole or in part of a filthy, decomposed, or putrid substance.

It shall be unlawful for a person, firm, or corporation to sell, offer for sale or have in possession with intent to sell eggs for human food purposes which are not fit for human food within the meaning of this act and the pure food

laws as so known in this State.

Every person, firm, or corporation who purchases eggs from the producer, for sale at retail or wholesale, shall candle all eggs offered to him, them, or it, and shall refuse to buy eggs unfit for human food as in this act defined, and such producer so tendering for sale any egg or eggs so unfit shall be docked accordingly. Such candling shall be done in the presence of the producer if he so requests.

All eggs excluded by the candling or other method as unfit for human food, with the exception of those which have a putrid odor when broken, shall be broken in the shell, the broken eggs put in a tight container at once and denatured so as to render them unfit for sale as human food. The usual egg case shall not be considered a tight container. All licensees shall keep an accurate record of candling and dockage of eggs unfit for human food purposes

subject to inspection of said department of agriculture.

Sec. 8. That any person, firm, or corporation failing to comply with the requirements of or violating any of the provisions of this act or the rules and regulations for the enforcement of this act made by the department of agriculture shall for the first offense be fined not less than \$15 nor more than \$50. For the second offense he shall be fined not less than \$50 nor more than \$100, and for the third or any subsequent offense he shall be fined not less than \$100 nor more than \$200, and in addition to such fines, in the discretion of the court, for the first offense his license may be suspended for not more than 30 days; for the second offense not more than 60 days; and for the third or any subsequent offense his license may be revoked.

All fines imposed and collected under this act shall be paid within 30 days after such collection to the department of agriculture and by it paid into the

State treasury.

Water Supplies—Contracts for, by Municipalities. (Laws 1927, p. 336, Act July 7)

[This act enables cities, villages, and incorporated towns to contract for a supply of water for public use and makes provision for means of payment for water supplied.]

Water Districts-Taxes in. (Laws 1927, p. 335, Act July 7)

[This act amends section 12 of act June 5, 1911, laws 1911, page 190, as amended. The amended section relates to the levying of taxes in water districts.]

²⁰ Supplement 42 to Public Health Reports, p. 193.

Sewers and Water Supplies—Taxes for, in Municipalities. (Laws 1927, p. 323, Act July 7)

[This act amends sections 1 and 2 of act June 21, 1883, laws 1883, page 68, as amended. The amended sections relate to the levying of taxes in municipalities for sewer and water supply purposes.]

Conservancy Districts to Protect and Prevent Pollution of Public Water Supplies by Regulating the Disposal of Sewage, Refuse, Industrial Waste, etc., and by Constructing Waterworks, Drains, Sewers, etc.—Taxes. (Laws 1927, p. 428, Act July 7)

[This act amends section 17 of act 21 July 11, 1925, laws 1925, page 346, to

read as follows:]

SEC. 17. The board of trustees may levy and collect other taxes for corporate purposes upon property within the territorial limits of such conservancy district, the aggregate amount of which for each year shall not exceed one-fourth of 1 per cent of the value of the taxable property within the corporate limits, as the same shall be assessed and equalized for the State and county taxes of the year in which the levy is made: Provided, however, That an additional one-twelfth of 1 per cent may be levied when such additional tax has been authorized by the legal voters of such district at an election duly called therefor. Such election shall be governed by the terms of this act relating to elections held to deciding [sic] on the proposition of issuing bonds of said district.

Said boards shall cause the amount required to be raised by taxation in each year to be certified to the county clerks in each county within such district on or before the second Tuesday in August, as provided in section 122 of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district in the manner and at the time provided by the general

revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depositary, require such bank or other depositary to pay the same rates of interest for such moneys deposited as such bank or other depositary is accustomed to pay depositors under like circumstances in the usual course of its business. All interest so paid shall be placed in the general fund of the district, to be used as other moneys belonging to such district raised by general taxation. The annual tax provided for herein and the taxes levied hereunder for the payment of the principal of and the interest upon bonded indebtedness of the district shall not be included in the aggregate of all the taxes required to be reduced under the provisions of an act entitled, "An act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, and all amendatory acts thereof.

Sanitary Districts—Disposal of Industrial Wastes—Approval of Plans and Specifications for Sewers. (Laws 1927, p. 419, Act June 30; Laws 1927, p. 417, Act Filed July 15)

[These acts add the following sections to act May 29, 1889, laws 1889, page-125, as amended:]

SEC. 7a. The sanitary district, in addition to the other powers vested in it, is empowered:

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(a) To regulate and control the discharge of so-called factory or industrial wastes, either in solution or suspension, into the sewers or works of said sanitary district, whether said discharges are made directly into the works or sewers of said sanitary district or indirectly through the sewer systems of a municipality or other area lying within the boundaries of said district.

(b) To contract with the industry or industries producing wastes for the purpose of determining the amount of treatment which said industry or industries shall give the wastes at the point of origin, and also for the purpose of determining what payment said industry or industries shall make annually or otherwise for the treatment which may be given its wastes by the works of said sanitary district.

² Supplement 59 to Public Health Reports, p. 138.

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(c) To require any occupant of any industrial premises inside or outside of the boundaries of any established municipality within the area of said sanitary district engaged in discharging factory or industrial wastes into any river, canal, ditch, or other waterway within the boundaries of said sanitary district to construct new sewage disposal plants and to so change or rebuild any outlet, drain, or sewer as to discharge said factory or industrial waste or trade waste into the sewers of such municipality or into such intercepting sewers as may be established by said sanitary district under such regulations as said sanitary district may determine.

(d) To make, promulgate, and enforce such reasonable rules and regulations for the supervision, protection, management, and use of any system of intercepting sewers and treatment works as it may deem expedient, and such regulations shall prescribe the manner in which connections to the main sewers or intercepting sewers shall be made and may prohibit discharge into said sewers of any liquid or solid waste deemed detrimental to the sewerage system or

treatment works of said sanitary district.

Sec. 7b. The sanitary district, in addition to the other powers vested in it, is empowered to require the proper authorities of any municipality organized under the laws of Illinois within the boundaries of any sanitary district to obtain the approval of all plans and specifications for the construction of sewers connecting with or to connect with said sanitary district before the order of confirmation of the assessment roll is obtained from the proper court.

Sanitary Districts for Sewage Disposal—Establishment—Powers of Board of Trustees—Treatment and Disposal of Industrial Wastes—Taxes—Annexation and Disconnection of Territory. (Laws 1927, p. 435, Act July 7; Laws 1927, p. 433, Act July 8; Laws 1927, p. 442, Act July 7)

[These acts amend sections 1, 4, 7, and 12 ²² of, and add sections 23 and 24 to, act ²³ June 22, 1917, laws 1917, page 396, as amended. Said amended and

added sections read as follows:]

Section 1. That whenever any area of contiguous territory shall contain one or more incorporated cities, towns, or villages or parts of one or more incorporated cities, towns, or villages, and shall be so situated that the construction and maintenance of a plant or plants for the purification and treatment of sewage and the maintenance of one or more outlets for the drainage thereof after having been so treated and purified by and through such plant or plants will conduce to the preservation of the public health, comfort, and convenience, the same may be incorporated as a sanitary district under this act

in the manner following:

Any 100 legal voters resident within the limits of such proposed sanitary district may petition the county judge of the county in which the proposed district or the major portion thereof is located, to cause the question to be submitted to the legal voters of such proposed district, whether such proposed territory shall be organized as a sanitary district under this act, such petition shall be addressed to said county judge and shall contain a definite description of the boundaries of the territory to be embraced in such district, and the name of such proposed sanitary district: Provided, however, That no territory shall be included in any municipal corporation formed hereunder which is not situated within the limits of a city, incorporated town or village, or within 3 miles outside thereof, and no territory shall be included within more than one sanitary district organized under this act or any other act. Upon filing of such petition in the office of the county clerk of the county in which such territory or the major portion thereof is situated, it shall be the duty of the county judge to call to his assistance two judges of the circuit court of the circuit embracing such proposed district or major portion thereof, and such said county judge and circuit judges shall constitute a board of commissioners which shall have power and authority to consider the boundaries of any such proposed sanitary district, whether the same shall be as de-

²² Sec. 12 was also amended in 1927 by another act approved July 7, laws 1927, p. 434. Both acts which amend sec. 12 bear the same date of approval, but the act appearing last in the session laws (p. 442) was used instead of the one appearing first (p. 434). The only difference in the two acts is that the act appearing on p. 434 has "one-sixth" in the first sentence of sec. 12 instead of "one-third" as herein.

²⁵ Supplement 37 to Public Health Reports, p. 131.

scribed in such petition or otherwise, and the decision of two of such commissioners shall be conclusive and not subject to review in any manner, di-

rectly or indirectly.

Notice shall be given by such county judge of the time and place where such commissioners will meet, by a publication inserted in one or more daily or weekly papers published in such proposed district, at least 20 days prior to such meeting and if no such newspaper is published in such proposed district then by posting at least five copies of such notice in such proposed district at

least 20 days before such hearing.

At such meeting the county judge shall preside and all persons in such pro-pos d district shall have an opportunity to be heard touching the location and boundary of such proposed district and to make suggestions regarding the same, and such commissioners, after hearing statements, evidence and suggestions, shall fix and determine the limits and boundaries of such proposed district, and for that purpose and to that extent may alter and amend such petition. After such determination by said commissioners or a majority of them, the same shall be incorporated in an order which shall be spread at length upon the records of the county court. Upon the entering of such order, the county judge shall submit to the legal voters of the proposed sanitary district the question of organization and establishment of the proposed sanitary district as determined by said commissioners, at an election to be held within 60 days after the entering of such order, notice whereof shall be given by the county judge at least 20 days prior thereto by publication in one or more daily or weekly papers published within such proposed sanitary district, or if no daily or weekly newspaper is published in such proposed sanitary district, then by posting at least five copies of such notice in said district at least 20 days before such election. Such notice to specify briefly the purpose of such election, with a description of such proposed district, and the time and places for holding such election.

Each legal voter resident within such proposed sanitary district shall have the right to cast a ballot at such election. Ballots at elections held under this

section shall be in substantially the following form, to wit:

For sanitary district	
Against sanitary district	

The ballots so cast shall be issued, received, returned and canvassed in the same manner and by the same officers as is provided by law in the case of ballots cast for county officers, except as herein modified. The county judge shall cause a statement of the result of such election to be spread upon the records of the county court. If a majority of the votes cast upon the question of incorporation of the proposed sanitary district shall be in favor of the proposed sanitary district, such proposed district shall thenceforth be deemed an or-

ganized sanitary district under this act.

SEC. 4. The trustees appointed in pursuance of the foregoing provisions of this act shall constitute a board of trustees for the district for which they are appointed, which board of trustees is hereby declared to be the corporate authorities of such sanitary district, and shall exercise all the powers and manage and control all the affairs and property of such district; said board of trustees immediately after their appointment and at their first meeting in May of each year thereafter, shall elect one of their number as president and one of their number as clerk, and said board of trustees shall have the right to elect a treasurer, engineer, and attorney for said district, who shall hold their respective offices during the pleasure of the board, and who shall give such bond as may be required by said board. Said board may prescribe the duties and fix the compensation of all the officers and employees of said sanitary district: Provided, however, That a member of said board of trustees shall in no case receive a sum to exceed the sum of \$300 per annum. Said board of trustees shall have full power to pass all necessary ordinances, rules, and regulations for the proper management and conduct of the business of said board of trustees and of said corporation, and for carrying into effect the objects for which such sanitary district is formed.

SEC. 7. The board of trustees of any sanitary district organized under this act shall have power to provide for the disposal of the sewage thereof including the sewage and drainage of any incorporated city, town, or village within the boundaries of such district and to save and preserve the water supplied to the inhabitants of such districts from contamination and for that purpose may construct and maintain an enclosed conduit or conduits, main pipe or pipes, wholly or partially submerged, buried or otherwise, and by means of pumps or otherwise cause such sewage to flow or to be forced through such conduit or conduits, pipe or pipes to and into any ditch or canal constructed and operated by any other sanitary district, after having first acquired the right so to do, or such board may provide for the drainage of such district by laying out, establishing, constructing, and maintaining one or more channels, drains, ditches, and outlets, for carrying off and disposing of the drainage (including the sewage) of such district together with such adjuncts and additions thereto as may be necessary or proper to cause such channels or outlets to accomplish the end for which they are designed, in a satisfactory manner, including pumps and pumping stations and the operation of the same. Such board may also treat and purify such sewage so that when the same shall flow into any lake or other watercourse it will not injuriously contaminate the waters thereof, and may adopt any other feasible method to accomplish the object for which such sanitary district may be created, and may also provide means whereby the said sanitary district may reach and procure supplies of water for diluting and flushing purposes: Provided, honever, That nothing herein contained shall be construed to empower or authorize such board of trustees to operate a system of water works for the purpose of furnishing or delivering water to any such municipality or to the inhabitants thereof. Nothing in this act contained shall authorize said trustees to flow the sewage of such district into Lake Michigan, or directly or indirectly into any other lake, stream, or body of water in the State of Illinois, or partly within the State of Illinois, or forming any part of the boundary of the State of Illinois, without such sanitary district has first erected a treatment plant or plants for the treatment and purification of its sewage, which plant or plants shall be of the most modern and approved kind in general use and of sufficient capacity to properly and fully purify said sewage so as to render the same harmless, in so far as is reasonably possible, to animal, fish, and plant life, and then not only and until any and all sewage of every sort and kind attempted or sought to be emptied or flowed or passed into any one or more of said bodies of water heretofore herein referred to shall be passed into and treated in and by said treatment plants aforesaid, so as to render the same, as aforesaid, harmless in so far as is reasonably possible, for any purpose, to animal, fish, and plant life, and any such plan other than as herein provided for sewage disposal by any sanitary district organized hereunder is hereby prohibited. Any violation of the foregoing inhibition, and any failure to observe and follow same, by any sanitary district organized under this act, shall be held, and is hereby declared, to be a misdemeanor on the part of said sanitary district, and upon conviction said sanitary district shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, and the trustees thereof may be ousted from office as trustee of said district by an order of the court before whom the cause is heard; which cause may be brought and prosecuted by indictment or information, in the manner provided by law, in any court of competent jurisdiction, in any county or counties of the State of Illinois through which or in which the lakes, streams, or bodies of water into which said sewage is flowed, passed, or attempted to be flowed or passed, directly or indirectly, are or is located, or flow or flows. Said sanitary district shall be amenable to suit under the above provisions and subject to service of process under its corporate name; and service shall be had in the same manner as is provided by law in this State as to other corporations where

jurisdiction is extended beyond any particular county or counties. In providing works for the disposal of industrial sewage, commonly called industrial wastes, in the manner above provided whether said industrial sewage is disposed of in combination with municipal sewage or independently, said sanitary district shall have power to apportion and collect therefor, from the producer thereof, fair additional construction, maintenance, and operating costs over and above those covered by normal taxes, and in case of dispute as to the fairness of such additional construction, maintenance, and operating costs, then the same shall be determined by a board of three engineers, one appointed by said sanitary district, one appointed by such producer or producers or their

legal representatives, and the third to be appointed by the two engineers selected as above described. In the event the two engineers so selected shall fail to agree upon a third engineer then upon the petition of either of the parties the circuit judge shall appoint such third engineer. A decision of a majority of said board shall be binding on both parties and the cost of the services of said board shall

be shared by both parties equally.

SEC. 12. The board of trustees may levy and collect other taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which for each year shall not exceed one-third of 1 per centum of the value of the taxable property within the corporate limits, as the same shall be assessed and equalized for the State and county taxes of the year in which the levy is made: Provided, however, That a like sum in addition thereto may be levied when such additional tax has been authorized by the legal voters of such district at an election duly called therefor. Such election shall be governed by the terms of this act relating to elections held to decide on the proposition of issuing bonds of said district. The right to levy such additional tax, heretofore or hereafter authorized by the legal voters, may at any time after one or more tax levies thereunder be terminated by a majority vote of the electors of such district at an election called for such purpose by the trustees of such district; and it shall be the duty of the trustees of any such district to submit the proposition to terminate such additional taxing power when petitioned so to do by not less than 10 per cent of the legal voters of such district.

Said board shall cause the amount required to be raised by taxation in each year to be certified to the county clerk on or before the second Tuesday in August, as provided in section 122 of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district in the manner

and at the time provided by the general revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depositary, require such bank or other depositary to pay the same rates of interest for such moneys deposited as such bank or other depositary is accustomed to pay depositors under like circumstances, in the usual

course of its business.

All interest so paid shall be placed in the general fund of the district, to be used as other moneys belonging to such district raised by general taxation. The annual tax provided for herein and the taxes levied hereunder for the payment of the principal of and the interest upon bonded indebtedness of the district shall not be included in the aggregate of all the taxes required to be reduced under the provisions of an act entitled, "An act concerning the levy and extension of taxes," approved May 9, 1901, in force July 1, 1901, and all amendatory acts thereof.

SEC. 23. Additional contiguous territory may be added to any sanitary

district organized under this act in the manner following:

Ten per cent or more of the legal voters resident within the limits of such proposed addition to such sanitary district may petition the county judge of the county in which the original petition for the formation of said sanitary district was filed, to cause the question to be submitted to the legal voters of such proposed additional territory whether such proposed additional territory shall become a part of any contiguous sanitary district organized under this act and whether such additional territory and the taxpayers thereof shall assume a proportionate share of the bonded indebtedness, if any, of such sanitary district. Such petition shall be addressed to the county judge and shall contain a definite description of the boundaries of the territory sought to be added: Provided, That no territory disqualified in section 1 of this act shall be included.

Upon filing such petition in the office of the county clerk of the county in which the original petition for the organization of such sanitary district was filed it shall be the duty of the county judge to call to his assistance the county judges of all the counties in which portions of such sanitary district and the proposed addition or additions thereto are situated, and such county judges shall constitute themselves a board of commissioners which shall have power and authority to consider the boundaries of such proposed additional territory, whether the same shall be those stated in the petition or otherwise, and a decision of a majority of the commissioners shall be conclusive and not subject to

review. In case of a tie vote, the county judges shall call to their assistance one of the circuit judges of the judicial circuit in which the major portion of the combined area of said sanitary district and said proposed addition or additions thereto are located and such circuit judge shall cast the deciding vote. If such sanitary district as originally organized and the proposed addition or additions are located in one county the county judge of such county shall act as a commissioner with like power and authority, as nearly as may be, hereby granted to said commissioners and his decision as to the boundaries shall be conclusive and not subject to review.

Notice shall be given by the county judge of the time and place when and where all persons interested will be heard substantially as provided in and by section 1 of this act. The conduct of the hearing and the manner of conducting the subsequent election on the question whether the proposed additional territory shall become a part of such sanitary district and the issuance, reception, return, and canvassing of the ballots shall be, as nearly as possible, in accordance with the provisions of section 1 of this act; the ballot for the election provided for in this section shall be substantially as follows, to wit:

For joining sanitary district and assuming a proportionate share of bonded indebtedness, if any.....

Against joining sanitary district and assuming a proportionate share of bonded indebtedness, if any.....

If a majority of the votes cast at such election shall be in favor of becoming a part of such sanitary district and if the trustees of such sanitary district accept the proposed additional territory by ordinance annexing the same, the county judge shall enter an appropriate order in the records of the county court, and such additional territory shall thenceforth be deemed an integral part of such sanitary district. Any such additional contiguous territory may be annexed to such sanitary district upon petition addressed to such county judge, signed by a majority of the owners of lands constituting such territory who shall have arrived at lawful age and who represent a majority in area of such territory, which said petition shall contain a definite description of the boundaries of such territory and shall set forth the willingness of the petitioners that such territory and the taxpayers thereof assume a proportionate share of the bonded indebtedness, if any, of such sanitary district. Upon the filing of such petition and notice of and hearing and decision upon the same by the aforesaid commissioner or commissioners, all as hereinbefore provided, such commissioner or commissioners, or a majority of them, shall enter an order containing his or their findings and decision as to the boundaries of the territory to be annexed; and thereupon, if the trustees of such sanitary district shall pass an ordinance annexing the territory described in such order to said sanitary district, said county judge shall enter an appropriate order as hereinabove provided, and such additional territory shall thenceforth be deemed an integral part of such sanitary district.

SEC. 24. Any contiguous territory located within the boundaries of any sanitary district organized under this act, and upon the border of such district, may become disconnected from such district in the manner following, to wit: Ten per cent or more of the legal voters resident in the territory sought to be disconnected from such district may petition the county judge of the county in which the original petition for the organization of said district was filed to cause the question of such disconnection to be submitted to the legal voters of such territory whether said territory shall be disconnected. Said petition shall be addressed to the county judge and shall contain a definite description of the boundaries of such territory and recite as a fact that there is no bonded indebtedness of such sanitary district incurred while such territory was a part of such sanitary district and that no special assessments for local improvements were levied upon or assessed against any of the lands within such territory or if so levied or assessed that all of such assessments have been fully paid and discharged and that such territory is not, at the time of the filing of such petition, and will not be, either benefited or served by any work or improvements either then existing or then authorized by said sanitary district. Upon filing such petition in the office of the county clerk of the county in which the original petition for the formation of such sanitary district has been filed it

shall be the duty of the county judge to call to his assistance the county judges of all counties in which portions of such sanitary district and the territory proposed to be disconnected is situated; such county judges shall constitute a commission and shall consider the boundaries of such territory and the facts upon which the petition is founded. Said commissioners may alter the boundaries of such territory and shall deny the prayer of the petition, if the material allegations therein contained are not founded in fact; a decision of a majority of said commissioners shall be conclusive and not subject to review. In case of a tie vote, the county judges shall call to their assistance a circuit judge of the judicial circuit in which the major portion of the territory sought to be disconnected is located. If such sanitary district, as originally organized, is located in one county only, the county judge of such county shall act as a commissioner with like duty, power and authority as nearly as may be hereby imposed upon and granted to said commissioners, and his decision shall be conclusive and not subject to review.

Notice shall be given by the county judge of the time and place when and where all persons interested will be heard substantially as provided in and by section 1 of this act. The conduct of the hearing and the manner of conducting the subsequent election on the question whether such territory shall become disconnected and the issuance, reception, return, and canvassing of the ballots shall be, as nearly as possible, in accordance with the provisions of section 1 of this act; the ballots for the election provided for in this section shall be substantially as follows, to wit:

If a majority of the votes cast at such election shall be in favor of disconnection, and if the trustees of such sanitary district shall, by ordinance, disconnect such territory, thereupon the county judge shall enter [an] appropriate order in the records of the county court and thereafter such territory shall henceforth be deemed disconnected from such sanitary district.

Sanitary Districts-Taxes. (Laws 1927, p. 432, Act July 7)

[This act amends section 12 of act June 5, 1911, laws 1911, page 299, as amended, to read as follows:]

SEC. 12. The board of trustees may levy and collect other taxes for corporate purposes upon property within the territorial limits of such sanitary district, the aggregate amount of which for each year shall not exceed one-sixth of 1 per cent of the value of the taxable property within the corporate limits, as the same shall be assessed and equalized for the State and county taxes of the year in which the levy is made. Said board shall cause the amount required to be raised by taxation in each year to be certified to the county clerk on or before the second Tuesday in August, as provided in section 122 of the general revenue law. All taxes so levied and certified shall be collected and enforced in the same manner and by the same officers as State and county taxes, and shall be paid over by the officer collecting the same to the treasurer of the sanitary district in the manner and at the time provided by the general revenue law.

The treasurer shall, when the moneys of the district are deposited with any bank or other depositary, require such bank or other depositary to pay the same rates of interest for such moneys deposited as such bank or other depositary is accustomed to pay to depositors under like circumstances, in the usual course of its business. All interest so paid shall be placed in the general funds of the district, to be used as other moneys belonging to such district raised by general taxation or sale of water.

Certain Sanitary Districts—Validation of Organization and Acts of. (Laws 1927, p. 430, Act July 14)

SECTION 1. Whenever, heretofore, and prior to June 1, A. D. 1927, a requisite number of legal voters, of any area of contiguous territory, have signed and

filed their petition for organization as a sanitary district, under the provisions of "An act" to create sanitary districts and to provide for sewage disposal," approved June 22, 1917, as amended, and a meeting of the board of commissioners has been held for the purpose of fixing and determining the limits and boundararies [sic] of such proposed district, and at such meeting such commissioners have fixed and determined such limits and boundaries, and their determination has been incorporated in an order and spread at length upon the records of the proper county court and a majority of the legal voters of such territory voting upon the question of incorporation of such proposed district have voted in favor of organizing such district at an election called and held, and a statement of the result of such election has been spread upon the records of such county court, and such districts have done or performed any construction work, or have issued bonds pursuant to or under authority of a majority vote of the voters of such district voting at an election upon the question of issuing such bonds, all of said elements having transpired and being in existence prior to June 1, A. D. 1927, and all as provided in said act except that it does not specifically appear from said petition, or of record in said cause, that the said area now is or then was so situated that the construction and maintenance of a plant or plants for the purification and treatment of sewage and the maintenance of a common outlet for the drainage thereof will conduce to the preservation of the public health, as is now provided by law, and that it does appear in said petition or in said record in said cause that said area contains one or more incorporated cities, towns, or villages which now are or then were so situated that the construction and maintenance of a plant or plants for the purification and treatment of sewage and the maintenance of a common outlet for the drainage thereof will conduce to the preservation of the public health, then each such petition, meeting of such commissioners to fix and determine the limits and boundaries of such proposed district, and the fixing and determining thereof, and each such election so held as set forth herein, are hereby made legal and valid and (every such area included within the limits and boundaries as fixed by said board of commissioners, and by its order spread upon the records of the county court, shall be deemed to be and treated as then or now so situated that the construction and maintenance of a plant or plants for the purification and treatment of sewage and the maintenance of a common outlet for the drainage thereof will conduce to the preservation of the public health), and every such sanitary district whose limits or boundaries have been so fixed and determined by said board of commissioners is hereby declared legally and validly organized and established as a sanitary district under said act, as amended, and a body corporate of this State for the purpose of exercising the powers and functions provided under said act, as amended.

Sec. 2. All acts and proceedings heretofore and prior to June 1, A. D. 1927, done, had, or performed by each such district and the persons from time to time appointed and acting as trustees thereof, such as are authorized by law to be

done, are hereby declared to be legal and valid in all respects.

Cattle—Eradication, Suppression, and Prevention of Tuberculosis in—Tuberculin Testing—Branding, Tagging, Quarantine, and Sale of Reactors—Tuberculosis-Free Accredited Herds—Accredited Area Plan—Importation—Movement. (Laws 1927, p. 20, Act July 7)

[This act amends sections 1, 2, 3, 4, 7, 12, 14, 15, 16, 18, 20, 22, 25, and 26 of act 25 June 30, 1925, laws 1925, page 2, to read as follows:]

SECTION 1. That the following words, terms, and phrases used in this act shall, for the purposes hereof, be defined as follows:

(a) The term "accredited veterinarian" is one who has successfully passed an examination set by the State and the United States Department of Agriculture and is authorized to make tuberculin tests under the uniform methods and rules governing accredited herd work as approved by the departments of

agriculture.

(b) The term "county area plan" as used in this act shall be such a plan as may be adopted by any county that will provide for funds for the maintenance and the employment of a veterinarian to conduct tuberculin tests within its borders and shall have signed an agreement for the control and eradication of bovine tuberculosis with the department of agriculture, and

Supplement 37 to Public Health Reports, p. 131.
 Supplement 59 to Public Health Reports, p. 147.

when enrolled with the department of agriculture as being under the county area plan.

(c) The term "accredited area plan," as used in this act, refers to the provision for compulsory tuberculin testing of breeding and dairy cattle in any county after 75 per cent of the herds therein have been tuberculin tested under the county area plan.

(d) The term "modified accredited area," as used in this act shall include a county in which the average percentage of tuberculosis, as shown by the last test of all cattle in the county, conforms to the requirements of the United States Department of Agriculture.

(e) The term "herd" as used in this act is defined to mean five or more dairy or breeding cattle.

SEC. 2. The department of agriculture, under the provisions of this act, shall have the control and supervision of the eradication and suppression of tuberculosis among cattle and the testing of cattle for tuberculosis: Provided, however, That no tests shall be made hereunder without the consent of the owner, until 75 per cent of the herds of breeding and dairy cattle in any county operating under the county area plan shall have been tuberculin tested as provided in this act. The expense of all tests shall be borne by the owner, unless the owner shall make application to have his entire herd of breeding

of agriculture shall cooperate with the Department of Agriculture of the United States.

SEC. 3. A blank for such application for the tuberculin test shall be furnished by the department of Agriculture, which shall include an agreement on the part of the person making the petition that he will conform to and abide by the rules laid down by the department of agriculture and follow their instructions designed to suppress the disease, prevent its spread, and avoid

or dairy cattle tested under State supervision; in which case the testing shall be done free of charge, under the direction of the Department of Agriculture. To effect the purpose of carrying out the provisions of this act, the department

reinfection of the herd.

The department of agriculture may refuse to pay indemnity for animals reacting to the tuberculin test in cases in which the provisions of this act, or in which rules promulgated under authority of this act, have been violated by the herd owner.

SEC. 4. The department of agriculture shall have the power to authorize any competent, duly authorized, accredited veterinarian selected by the department to make the test herein provided.

SEC. 7. All cattle which have heretofore reacted or shall hereafter react to a tuberculin test shall, immediately upon such reaction, be marked by branding on the left jaw with the letter "T," said letter to be not less than 2 nor more than 3 inches in length, and shall be tagged in the left ear with a special tag to be furnished by the department of agriculture. It shall be the duty of the veterinarian applying the tuberculin test immediately to notify the department of agriculture of such reactor or reactors, and to brand and tag such animal or animals as herein prescribed.

On receipt of such notice the department of agriculture shall issue in writing and mail, or deliver, to the original owner of such reacting animal or animals a quarantine notice to prohibit the movement of such animal or animals from the premises where found. Depositing such notice in any post office, letter box, or other receptacle erected and maintained for the receipt of mail shall be deemed good and sufficient notice of such quarantine.

It shall be the duty of any veterinarian applying the tuberculin test to any bovine animals within the State of Illinois, either for intrastate or interstate shipment, public sale, accrediting of herd, addition to accredited herd, local, personal, or private test, to immediately (upon the completion of such test) forward the necessary copies and records, properly filled in and executed, to the office of the department of agriculture.

Failure of any veterinarian to comply with the above regulation shall be sufficient cause for the revoking of any privileges or approval for the issuing of health certificates and the applying of the tuberculin test in any manner.

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Sec. 12. The department of agriculture shall establish rules for determining when a herd of cattle tested and maintained under the provisions of this act and the rules of the department of agriculture shall be considered as tuberculosis-free. When any herd meets such requirements, the owner shall be entitled to a certificate from the department of agriculture showing that the herd is a

tuberculosis-free accredited herd. Such certificate shall be revoked whenever the herd no longer meets the necessary requirements for an accredited herd, but the herd may be reinstated as an accredited herd upon subsequent compliance

with such requirements.

SEC. 14. Whenever 75 per cent of the herds of breeding and dairy cattle in any county operating under the county area plan shall have been tuberculin tested as provided in this act, the department of agriculture shall enroll the county under the accredited area plan and notify the State's attorney and the board of supervisors or board of county commissioners of such county accordingly. The board shall cause to be published a notice of such enrollment once in two newspapers of the county and thereafter every owner of breeding and dairy cattle within the county shall cause his cattle to be tested for tuberculosis as provided in this act and shall comply with all the requirements for the establishment and maintenance of a tuberculosis-free accredited herd. Upon the failure of any owner to comply herewith within 90 days after the publication of such enrollment notice and the delivery of such notice to the herd owner, the department of agriculture may enter upon the premises of such owner, during usual working hours, and apply the tuberculin test at his expense.

Sec. 15. For the purpose of determining the owners of herds of breeding and dairy cattle in the county constituting the per cent required by the preceding section, the county treasurer of each county which has been enrolled under the county area eradication plan shall certify to the department of agriculture after each assessment in the county the names of owners of herds of breeding and dairy cattle in such county as shown by the last assessors' rolls, and the county veterinarian shall certify to the State's attorney the names of herd

owners who fail and refuse to make application for tests.

Sec. 16. Any owner of breeding or dairy cattle in any county which has been enrolled under the accredited-area plan, as provided in this act, who does not apply for and sign an application for such test or fails to have his cattle tested as provided therein within a period of 90 days from the publication of the notice of enrollment shall be guilty of a misdemeanor and shall be punished

by a fine as hereinafter provided.

SEC. 18. Except as otherwise provided in this act, all bulls, cows, or heifers brought into the State of Illinois by any person, persons, firm, company, or corporation, or by any railroad or other transportation company (unless said bulls, cows, or heifers are consigned to and delivered by the transportation company within the confines of the Union Stock Yards, Chicago, the National Stock Yards, East St. Louis, or the Union Stock Yards, Peoria, or any other like public stockyard), shall be accompanied by a certificate of health, including the tuberculin test, administered in accordance with the regulations of the United States Department of Agriculture within 30 days previous to said cattle

being brought into the State of Illinois.

SEC. 20. All cattle, except as hereinafter provided, when taken from public stockyards for shipment to points in Illinois, must either be tested with tuberculin at such yards and held there until observations are made, or if such cattle are shipped in quarantine subject to test at destination same must be ear tagged with an ear tag supplied and inserted by the department of agriculture or its authorized representative at public market centers, which can not be removed and used on other cattle and will permanently identify the animal to which it is applied. Such cattle after being so tagged may be moved to destination under quarantine and held until released from quarantine by the department of agriculture after a tuberculin test satisfactory to the department of agriculture has been completed.

All cattle for immediate slaughter may be shipped to points within the State

without the tuberculin test.

Steers and bulls for feeding or grazing purposes may be shipped to points within the State if such steers and bulls are kept properly segregated from

breeding or dairy cattle.

All female cattle of the beef type for feeding or grazing purposes may be shipped to points within the State if such cattle are kept properly segregated from breeding or dairy cattle and are tagged with ear tag supplied and inserted by a representative of the State department of agriculture which will permanently identify the animal to which it is applied. Removal of such tag without permit from the State department of agriculture shall be considered a misdemeanor punishable by a fine as hereinafter provided.

Sec. 22. It shall be unlawful to sell, offer for sale, or to purchase any bulls, cows, or heifers known to have reacted to the tuberculin test, except that bulls,

cows, and heifers which have reacted to the tuberculin test, provided they show no physical evidence of disease, may be sold, and delivered within the State, provided the purchaser shall first secure a permit from the department of agriculture, wherein it is agreed that such reacting cattle shall be kept separate and apart from all nonreacting cattle, and shall be maintained under strict quarantine until released therefrom for sale or slaughter under State or Federal inspection by permit issued by the department of agriculture. The words "separate and apart" and the words "strict quarantine" as used in this section shall be defined as providing that the owners of cattle which have reacted to the tuberculin test shall keep such animals from coming in contact in any way with dairy cattle, breeding cattle, or poultry, and from running streams accessible to dairy cattle, breeding cattle, or poultry. The owner shall also observe all other quarantine measures which may be deemed necessary by the department of agriculture and bear all expense connected with such quarantine.

Sec. 25. All purebred cattle transported or driven into counties not operating under the provisions of the accredited-area plan shall be held in quarantine for an official tuberculin retest to be applied under the supervision of the depart-

ment of agriculture not less than 60 days after arrival.

All cattle transported in any way or driven into a county designated as a modified accredited area or any county operating under the accredited area plan shall be held in quarantine for an official tuberculin retest to be applied under the supervision of the Department of Agriculture not less than 60 days after arrival; excepting

First. Cattle coming from herds officially accredited as free from tuberculosis by the State or Federal officials in charge of tuberculosis eradication in the State of origin and accompanied by a certificate of health from such officials, or cattle coming from modified accredited areas, accompanied by a certificate from the proper officials of the State of origin.

Second, Cattle brought into the State for public sale, unless said cattle remain in the State after sale, when they shall be subjected to a retest in

accordance with this section.

Third. All cattle coming into the State consigned to public stockyards or recognized slaughtering centers maintained under State or Federal supervision.

Fourth. Steers, bulls, and female cattle of the beef type for feeding purposes

as specifically provided for in section 20.

Sec. 26. All breeding and dairy cattle to be sold or offered for sale, as such, at public auction within the State of Illinois, unless 75 per cent of such cattle shall have been owned by the seller for a period of not less than 90 days immediately preceding such sale, or unless from an accredited herd or modified accredited area, shall be tuberculin tested by a qualified veterinarian within the 30 days immediately preceding the date of sale, and a copy of such test shall be forwarded to the Department of Agriculture within two days preceding the date of sale and before such cattle shall have been shipped, driven, or otherwise transported from the premises where sold.

Garbage—Establishment and Maintenance of Systems or Plants for Collection and Disposal of, Authorized in Certain Cities and Villages—Tax. (Laws 1927, p. 234, Act July 7)

[This act amends section 1 of act 26 June 25, 1915, laws 1915, page 285, as

amended, to read as follows:]

Section 1. That the city council of each incorporated city in this State whether organized under the general law or special charter having a population of less than 100,000 and the president and board of trustees of each village in the State of Illinois having a population of less than 100,000 shall have power to establish and maintain garbage systems or plants for the collection and disposal of garbage in such city or village and may levy a tax not to exceed 1 mill on the dollar on all the taxable property in the city or village according to the valuation of the same as made for the purpose of State and county taxation by the last assessment in said city or village for such purposes. Said annual garbage tax shall be in addition to the amount authorized to be levied for general purposes as provided by section 1 of article 8 of "An act to provide for the incorporation of cities and villages," approved April 10, 1872, and all amendments thereto.

^{*} Reprint 338 from Public Health Reports, p. 217.

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Public Comfort Stations—Tax by Municipalities for. (Laws 1927, p. 319, Act July 7)

[This act amends section 4 of act at June 30, 1919, laws 1919, page 841, to read as follows:]

SEC. 4. A tax of not to exceed two-thirds mill on the dollar on the assessed value of all taxable property within each city, incorporated town, township, or village which has established a public comfort station or stations shall be assessed, levied, and collected by such city, incorporated town, township, or village in the manner provided for the assessment, levying, and collection of other taxes for corporate purposes. The proceeds of this tax shall be kept in a separate fund and shall be used for the establishment, equipment and mantenance of a public comfort station or stations and for no other purpose.

Advertisements-Untrue or Deceptive, Prohibited. (Laws 1927, p. 403, Act July 11)

[This act amends section 1 of act ²³ June 29, 1915, laws 1915, page 365, to read as follows:]

Section 1. Whoever, with intent to sell, or in any wise dispose of merchandise, securities, service, or anything offered by him, directly or indirectly, to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto, or to acquire title thereto, or an interest therein, causes, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in this State, in a newspaper or other publication, or in the form of a book, notice, handbill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, securities, service, or anything so offered to the public, which advertisement contains any assertion, representation, or statement of fact which is untrue or deceptive, shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail not exceeding 20 days, or by both said fine and imprisonment.

 ^π Supplement 42 to Public Health Reports, p. 203.

 [∞] Reprint 338 from Public Health Reports, p. 217.

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Rabies-Measures to Prevent Spread Authorized. (Ch. 196, Act March 10, 1927)

[This act amends section 18 (as added by ch. 181, laws of 1909) of chapter 64,

laws of 1901, to read as follows:]

Sec. 18. Rabies among dogs—means for prevention of spread—offense of and penalty for misfeasance.—That the State veterinarian shall have the power to order and enforce the restraint, muzzling, or such other efficient preventive or prophylactic measures as may be deemed necessary by the State veterinarian to prohibit the spread of rabies of or among all dogs in a locality where a case of rabies has occurred, the extent of the locality and the duration of the restraint, muzzling, or other measures to be determined by him. Such other measures when ordered shall be at the expense of the owner of such dog, and if the owner shall fail or refuse to comply with the order of the State veterinarian it shall be the duty of the police officers, sheriffs, constables, and marshals to kill any dog the owner of which has failed or refused to comply with the order of the State veterinarian. Any such officer who shall fail, refuse, or neglect to carry out the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$1 and not more than \$10.

State Hydrophobia Fund—Certain Payments by Counties to Constitute. (Ch. 176, Act March 9, 1927)

SEC. 11. State hydrophobia fund, payments from surplus of counties to State auditor for.—The county auditor shall annually on the 1st day of April of each year pay to the State auditor 5 per cent of the surplus dog tax collected from the townships of the county. The amount received from all county auditors shall constitute a State hydrophobia fund in the State treasury: Provided, That if at the end of the fiscal year such fund shall exceed \$3.000 the surplus shall be turned into the school fund of the State.

State Hospital for Treatment of Recoverable Pulmonary Tuberculosis—Establishment—Admission, Maintenance, and Treatment of Patients. (Ch. 188, Act March 10, 1927)

[Sections 1 to 4 of this act amend, respectively, sections 1 (as amended by ch. 147, laws of 1919), 14, 16, and 17 of chapter 125, laws of 1907, to read as follows:

Section 1. Indiana State sanatorium, establishment—for treatment of recoverable pulmonary tuberculosis.—That there shall be established in this State a hospital for the treatment of recoverable pulmonary tuberculosis, which shall

be known and designated as the "Indiana State sanatorium."

Sec. 14. Admission of patients—payment of costs of treatment and transportation of indigent persons.—No person shall be admitted for treatment to such hospital who has not been a resident of the State of Indiana continuously for one year last past prior to the date of making application for admission thereto; and the first duty of the State shall be to its indigent who are afflicted with recoverable pulmonary tuberculosis, and all applications by an indigent for admission to such hospital shall be accompanied by the certificate of the township trustee of the township wherein the applicant resides, to the effect that such applicant is an indigent and is and has been a citizen of the State for the required time aforesaid, also by the certificate of the physician to the poor for such township, or some other reputable physician satisfactory to the board,

¹ Supplement 42 to Public Health Reports, p. 206.

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that such applicant is an indigent suffering with recoverable pulmonary tuberculosis; and any township trustee of this State issuing any certificate of the indigence or partial indigence of any such applicant shall, as soon as practical thereafter, file a copy of such certificate with the board of county commissioners of their respective counties, and also a statement that such applicant was admitted to such hospital for treatment; and if such applicant was not wholly indigent, the amount he was able to pay on account of his maintenance and treatment at such hospital. And immediately upon receipt of such application, accompanied by the certificates aforesaid, the superintendent of such hospital shall by mail advise such applicant, or the township trustee, whether such hospital can accommodate such applicant, and if such accommodation can be given, then such trustee is hereby authorized to pay the expense of such indigent to such hospital, and upon the arrival of such applicant at such hospital the superintendent of such hospital shall make, or cause to be made, an examination of such applicant to ascertain whether such applicant is suffering from recoverable pulmonary tuberculosis, and if such applicant shall be found to be so afflicted such applicant shall be admitted to such hospital for treatment therein at a cost to the county wherein such indigent resides not to exceed \$5 per week; and such cost of such treatment of such indigent shall be paid by the county in which such indigent so resides, and the board of county commissioners shall, upon the presentation of sworn statement of the cost thereof made by the superintendent of such hospital, allow such claim for the full amount thereof, and the county council shall make an allowance and appropriation sufficient to pay same, and when such claim shall be allowed, the county auditor shall draw his warrant on the county treasurer in favor of the superintendent of such hospital for the amount thereof, and the county treasurer shall pay the same out of the county treasury. If such applicant, upon examination by such superintendent, be found not to be suffering from recoverable pulmonary tuberculosis, then such applicant shall not be admitted to such hospital for treatment or otherwise, and such trustee shall pay the expenses of the return home of such indigent, and charge the expenses of such indigent in traveling to and from said hospital to the account of funds advanced to the poor.

Sec. 16. Persons not wholly indigent—payment of part of costs by county.—If any such citizen of this State, suffering with recoverable pulmonary tuberculosis, shall apply for admission to such hospital, who is not wholly indigent, but can pay a portion only of the expense of his maintenance and treatment at such hospital, but not all thereof, such applicant shall be entitled to the same preference as to admission given the wholly indigent, except that such certificates shall state what portion of such expense such applicant is able to pay, and shall be subject to examination at the hospital before admission, the same as the wholly indigent applicant, and the bill for the maintenance and treatment of such partially indigent not paid by such patient shall be paid by the county in which such patient resides, the same as in case of the wholly indigent, and if such partially indigent patient shall neglect to pay to such hospital such part of the cost of his maintenance and treatment as the certificate accompanying his application indicates he is able to pay, and the county of his residence is compelled to pay same, then such county shall have a right of action against such patient therefor, and may recover same with attorney's fees, and there shall be no exemption allowed against any judgment recovered on any such claim of any

county of the State.

Sec. 17. Admission and treatment of persons not indigent.—If, after such indigent and partially indigent citizen patients are provided for in such hospital, there is still room and facilities at such hospital for the accommodation of other patients, then other citizens of this State, who are suffering from recoverable pulmonary tuberculosis, who are able to pay for their maintenance and treatment at such hospital, subject to the same medical examination provided for herein, by the superintendent of such hospital, may be admitted to such hospital for treatment at a price not to exceed \$5 per week: Provided, however, That such pay patients, if admitted, shall be accommodated and treated at such hospital in the same manner as other inmates and not otherwise.

SEC. 5. Title of certain act amended.—That the title of 125, laws of 1907] be amended to read as follows: "An act to establish a hospital in the State of Indiana for the treatment of recoverable pulmonary tuberculosis."

County Tuberculosis Hospitals—Establishment and Maintenance. (Ch. 59, Act March 4, 1927)

[This act amends section 1 (as amended by ch. 170, laws of 1917) of chapter

176,3 laws of 1913, to read as follows:]

Section 1. County tuberculosis hospitals—powers of board of commissioners—elections.—That the board of county commissioners of any county shall have the power to establish a county hospital for the care and treatment of persons suffering from the disease known as tuberculosis; when the board of county commissioners of any county shall have voted to establish such a hospital, it shall have the following power:

To purchase or lease real property therefor, or acquire such real property, and easements therein, by condemnation proceedings in the manner prescribed

by law.

To erect all necessary buildings, make all necessary improvements and repairs, and alter any existing buildings, for the use of said hospital: *Provided*, That the plans for such erection, alteration, or repair shall first be approved by the

State board of health.

To cause with the approval of the county council to be assessed, levied, and collected such sums of money as it shall deem necessary for suitable lands, buildings, and improvements for said hospital and for the maintenance thereof, and for all other necessary expenditures therefor; and to borrow money for the erection, furnishing, and equipping of such hospital and for the purchase of a site therefor, on the credit of the county and issue county obligations therefor, in such manner as it may do for other county purposes.

To appoint a board of managers for said hospital as hereinafter provided.

To accept and hold in trust for the county any grant or devise of land, or any gift or bequest of money or other personal property or any donation to be applied, principal or income or both, for the benefit of said hospital, and apply

the same in accordance with the terms of the gift.

Whenever the board of county commissioners of any country shall be presented with a petition signed by 200 resident freeholders of such county, asking that the board of county commissioners submit to the voters of such county the question whether such hospital shall be established, the board of county commissioners shall submit the question to the voters of the county at the next regular election. And if a majority of the voters voting thereon shall favor the establishment of such hospital, then the board shall establish the same as provided in this act. The petition shall specify the amount of tax to be levied and the maximum amount proposed to be expended by such county in the purchasing or building of such hospital.

The form of the ballot issued at such election shall be substantially as follows:

Shall the county of	Yes.
	No.

The votes shall be canvassed and returns made to the clerk of the circuit court, who shall canvass the same and file a statement of the result with the board of county commissioners.

Adulterated Food—Seizure, Condemnation, and Destruction. (Ch. 118, Act March 9, 1927)

Section 1. Adulterated food—Seizure of and holding under embargo.—That whenever the State board of health, the State food and drug commissioner or other authorized officer of the State board of health shall ascertain that any article or articles of food, other than raw fruits and vegetables, are found in this State, which article or articles of food are adulterated, as that term is defined in section 2 of chapter 104 of the acts of the general assembly of 1907, it shall then be the duty of the State food and drug commissioner, herein-

Supplement 37 to Public Health Reports, p. 160.
 Reprint 264 from Public Health Reports, p. 152.

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after called the "commissioner," to seize and hold the same under embargo, and immediately thereupon to notify, in writing, the person who was in possession of such article or articles at the time of such seizure. If, within 10 days, it is found that the food can not be reconditioned to the approval of the commissioner, then the commissioner shall institute proceedings for the condemnation and destruction of said adulterated food, in the manner

herein provided.

SEC. 2. Libel proceedings by food and drug commissioner.—The commissioner shall cause to be filed in the circuit court of the county in which the goods are situate a libel for condemnation against said goods. The proceeding shall be brought in the name of the State of Indiana by the prosecuting attorney of such county against the goods, and libel shall be verified by the commissioner. The libel shall describe the goods, state their location, state the name of the person, firm, or corporation in actual possession, state the name of the owner, if known to the commissioner, and allege the particular adulteration which is claimed to exist, and otherwise conform to the requirements of a libel for condemnation of adulterated food in the United States courts.

Sec. 3. Issuance of process—Seizure of goods by sheriff.—Upon the filing of such a libel, the judge of the court, or, if in vacation, the clerk thereof, shall promptly cause process to issue to the sheriff commanding him to seize the goods described in the libel and to hold the same for further order of the court. The sheriff shall, at the time of seizure, serve a copy of said process upon the owner of said goods.

Sec. 4. Failure to defend libel—destruction of goods under court order.—At the expiration of 30 days after such seizure, if no claimant has appeared to defend said libel, the court shall order the sheriff to destroy said seized

goods.

SEC. 5. Answer or demurrer—Making up issues.—Any person, firm, or corporation having an interest in said goods, or any person, firm, or corporation against whom a civil or criminal liability would exist if said goods are adulterated, may, at any time before destruction of the goods, appear and file answer or demurrer to the libel. Such appearance and answer or demurrer shall be filed in open court, or if in vacation with the clerk thereof. The answer or demurrer shall allege the interest or liability of the party filling it. In all other respects the issues shall be made up as in other civil actions.

SEC. 6. Righs of change of venue and trial by jury.—The right of change of venue from the county and the right of change of judge and the right of trial

by jury shall exist as in civil cases.

SEC. 7. Division of goods—separate actions as to lots.—At any time before trial, the defense may file with the court, or the clerk thereof in vacation, a written election to divide the libeled goods into lots, each of said lots to be described in the election in such way as to enable it to be distinguished. If different parties are defending as to separate lots, the court shall proceed to docket as many separate actions as there are separate defenders. The commissioner may dismiss as to any lot or lots without prejudice to his proceeding against all other lots in the same seizure. Those defending may consent to the destruction of any lot or lots without prejudice to their right to defend against the condemnation of all other lots in the same seizure.

Sec. 8. Determination as to adulteration—separate treatment of lots.—The court or jury trying the cause shall determine whether the contents of each separate lot are adulterated and the judgment shall so specify and further order the destruction by the sheriff of all lots found to be adulterated, and

the return by the sheriff of all lots not found to be adulterated.

SEC. 9. Judgment only as to condemned goods and part of costs.—Under no condition shall any personal judgment be rendered against any defender, except that, when any goods are ordered destroyed, the court may give judgment against the person, firm, or corporation defending as to such condemned goods

for that part of the costs occasioned by such defender.

Sec. 10. Return of libeled goods pursuant to order.—Whenever any libeled goods are ordered returned, it shall be the duty of the sheriff to immediately return them to the place of seizure. The sheriff and his bondsmen shall be liable for any damage to said goods while in the custody of the sheriff, which damage was due to negligence, willfulness or carelessness upon the part of the sheriff or his deputies or agents. No subsequent proceeding in said cause, or new trial, shall in any way involve any returned goods.

Sec. 11. Appeals to appellate court—defenders' liability for costs.—Any defender may move for a new trial and may appeal to the appellate court in the manner provided by law for appeals in civil actions. In a term time appeal the bond shall be fixed in such amount as to cover the reasonable costs of preserving the condemned goods for the probable time of appeal and the court costs. If an appeal is not prosecuted to determination, or if the judgment of the trial court is affirmed, the defender or defenders praying the appeal shall be liable for the costs adjudged against them in the trial court, the costs of appeal, and, if a term time appeal, the actual reasonable cost of preserving the condemned goods during the appeal period.

Sec. 12. Term time appeals—advancement and disposition.—In all term time appeals provided for herein, the appellate court shall advance such causes and dispose of them as speedily as possible with due regard to the rights of the

parties.

SEC. 13. Judgment not admissible in other legal proceeding.—No judgment in a proceeding provided for by this act shall be admissible as evidence in any

other legal proceedings.

SEC. 14. Costs not adjudicated against defenders.—All costs not adjudicated against the defenders in accordance with the provisions herein shall be determined and collected in the manner provided by law for the determination and collection of costs in unsuccessful criminal prosecutions.

Sec. 15. Procedure and practice.—Where not otherwise herein provided, the procedure and practice shall conform, as nearly as possible, to the procedure

and practice of civil actions.

SEC. 16. Certificate of approval of commissioner on finding of compliance.—That the State food and drug commissioner upon examination of any article or articles of food as defined in section 1 of this act, and finding them as complying with the requirements of the food and drugs act of 1907, said commissioner shall then be required to issue to owner of said goods a certificate showing his approval thereof.

Oleomargarine—Sale—Advertisement—Notices Regarding Serving of, in Eating Places. (Ch. 194, Act March 10, 1927)

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SECTION 1. Word "butter" defined.—That for the purposes of this act the word "butter" shall be understood to mean the food product usually known as butter, and which is made exclusively from milk or cream, or both, with or without common salt, and with or without additional coloring matter.

SEC. 2. Mixtures and compounds to be designated as "oleomargarine."—For the purposes of this act, certain manufactured substances, certain extracts, and certain mixtures and compounds, including such mixtures and compounds with butter, shall be known and designated as "oleomargarine," namely: All substances heretofore known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral; all mixtures and compounds of oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral; all mixtures and lard extracts and tallow extracts; and all mixtures and compounds of tallow, beef fat, suet, lard, lard oil, vegetable oil, annatto, and other coloring matter, intestinal fat, and offal fat, made in imitation or semblance of butter or when so made, calculated or intended to be sold as butter or for butter.

Sec. 3. Oleomargarine, sale of—prohibition as to unlabeled containers.—No

SEC. 3. Oleomargarine, sale of—prohibition as to unlabeled containers.—No person shall sell, expose, or offer for sale or exchange, or have in his possession with intent to sell or exchange any oleomargarine or other substance made in imitation of butter, and which is intended to be used as a substitute for butter, unless each and every vessel, package, roll, carton, or parcel of such substance has distinctly and durably printed, stamped, or stenciled thereon the true name of such substance in plain gothic letters of not less than 20-point type, and the name and address of the manufacturer in plain gothic letters of not less

than 9-point type.

SEC. 4. Posting of placards in public eating places.—Every person, firm, or corporation conducting any hotel, dining room, restaurant, lunch room, public or private boarding house, dining room, or any other public eating place where oleomargarine, butterine, or other substitute is served, shall print in plain English in a conscpicuous place on the bill of fare or menu, the words "oleomargarine served here," and shall display signs bearing the words "oleomargarine served here" on at least two sides of the room, in such manner that they may be easily and readily seen and read from all tables and counters on

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which food is served. The type in which the legend "oleomargarine served here" is printed shall not be less conspicuous or smaller in size than that used in the remainder of the bill of fare or menu. Display signs shall bear only the legend "oleomargarine served here" and shall be printed in bold-faced, black gothic type not less than 2 inches high: Provided, That the provisions of this section shall not be construed to apply to hotels, restaurants, lunch rooms, boarding houses, and other eating places where oleomargarine, butterine, or other substitutes for butter are used in the preparation of food served therein. but shall be construed to apply only where oleomargarine, butterine, or other substitutes are served on the table, counter, or other eating place in lieu of and as a substitute for butter.

SEC. 5. Prohibition of use in sale of oleo of words or symbols commonly used in sale of butter.—No person, firm, association, or corporation shall use in any way, in connection or association with the sale or exposure for sale or advertisement of oleo or any other substance designed to be used as a substitute for butter, the words "milk," "butter," "creamery," "dairy," pictures of dairy cows or dairy farms or the name or representation of any breed of dairy cattle, or any other words or symbols or combination thereof commonly used in the

sale of butter and other dairy products.

Sec. 6. Enforcement by State board of health and attachés.—The State board of health, its food inspectors, chemists, or agents, shall be charged with the

enforcement of the provisions of this act.

SEC. 7. Offenses created and penalties imposed.—Any person, firm, association, or corporation who shall violate the provisions of this act shall be deemed guilty of a misdemeanor, every violation constituting a separate offense, and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500, or by imprisonment for not less than 30 days nor more than 6 months or by both such fine and imprisonment at the discretion of the court.

SEC. 8. Repeal.-All laws and parts of laws within the purview of this act

are hereby repealed.

Sec. 9. Constitutionality.—That if any clause, sentence, paragraph, or part of this act shall, for any reasons, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment has been rendered.

Diet and Nutrition—Act Requiring Course in, in Schools Repealed. (Ch. 48, Act March 3, 1927)

[This act repeals chapter 99.4 laws of 1925, entitled "An act requiring all elementary and high schools in the State to teach a course in diet and nutrition."]

Habit-Forming Drugs-Sale or Dispensing. (Ch. 222, Act March 10, 1927)

[This act amends section 1 (as amended by ch. 118, laws of 1913) of chapter

27, laws of 1911, to read as follows:]

Section 1. Drugs, sale of—Limitations and restrictions—Prescriptions—Records.—That it shall be unlawful for any person, except a registered pharmacist, to retail, sell, or give away any cocaine, alpha or beta eucaine, opium, morphine, or heroin or any salt or any compound or derivative of any of the foregoing substances, or any preparation or compound containing any of the foregoing substances, or any of their salts or compounds or derivatives, and then only upon the written prescription of a duly registered physician, licensed veterinarian, or licensed dentist; and it shall be unlawful for any duly registered physician, licensed veterinarian, or licensed dentist to write, issue, deliver, or dictate either directly or indirectly any prescription to or for any habitual user of any drugs enumerated in this section; every prescription shall contain the name and address of the person for whom prescribed, and the date the same shall have been filled, and shall be permanently retained on file by the person, firm, or corporation where the same shall have been filled; and it shall be filled but once, and no copy of it shall be taken by any person, except a copy may be taken by any board of pharmacy, or their agents, and the original shall at all

⁴ Supplement 59 to Public Health Reports, p. 156.

times be open to the inspection of the prescriber, to the Indiana Board of Pharmacy or their agents, and all officers of the law; except, however, that such cocaine, alpha or beta eucaine, opium, morphine, heroin, or any salt, or any compound, or any derivative of the foregoing substances, or any of their salts or compounds or derivatives, may be lawfully sold at wholesale by a wholesale jobber or manufacturer upon the written order of a licensed pharmacist, duly registered practicing physician, licensed veterinarian, or licensed dentist: And provided. That the wholesaler, jobber, or manufacturer, shall affix or cause to be affixed to the bottle, box, vessel, or package containing the article sold, and upon the outside wrapper of the package, as originally put up, a label distinctly displaying the name and quantity of cocaine, alpha or beta eucaine, opium, morphine, heroin, or any salt or compound or derivative of any of the foregoing substances sold, and the word "poison," with the name and place of business of the seller, all printed in red ink: And provided also, That the wholesaler, jobber, or manufacturer shall, before delivering any of the articles, make or cause to be made in a book kept for that purpose an entry of the sale thereof stating the date of sale, the quantity, name, and form in which sold, the name and address of the purchaser, and the name of the person by whom the entry is made; and the said book shall be always open for the inspection by the members of the State board of pharmacy or agents thereof, and the proper officers of the law, and said book shall be preserved for five years after date of the last entry therein: And provided also, That nothing in this act shall apply to any preparation, patent, or proprietary containing not more than 2 grains of opium, or one-fourth of a grain of its alkaloidal salts or their derivatives to the ounce, or admixtures of ipecac and opium commonly known as Dover's powders, liniments, suppositories, ointments, and plasters, plainly labeled "For external use only": *Provided also*, That nothing in this act shall be construed to prevent the legitimate administering of said drugs, their salts, compounds, and derivatives by a duly registered practicing physician, duly licensed veterinarian, or duly licensed dentist.

Waters of the State—Pollution Unlawful—Abatement of Condition or Practice Causing Pollution. (Ch. 45, Act March 3, 1927)

Section 1. Pollution of streams declared unlawful in certain cases.—That it shall be unlawful for any person, firm, or corporation to throw, run, drain, or otherwise deposit into any of the waters of this State, or to cause, permit, or suffer to be thrown, run, drained, or otherwise deposited into any such water or waters, any dyestuff, acid. coal tar, oil, log wood, or any by-products or derivative of any such, or any other poisonous substance, which of itself is deleterious to the public health or to the prosecution of any kind of industry, lawful occupation, or calling for which or in which any such water or waters are or may be lawfully used or employed, or whereby the carrying on of any agricultural, floricultural, or horticultural pursuit may, or shall be, adversely affected, or whereby any livestock industry or the use of any such water or waters by or for domestic animals may be lessened or impaired, or whereby any lawful use of any such water or waters by the State of Indiana or by any political subdivision thereof may be lessened or impaired or materially interfered with, or whereby any beneficial animal or vegetable life in said water or waters may be destroyed or jeopardized: Provided, however, That none of the provisions of this act shall apply to Lake Michigan or to the rivers, streams, or any of the artificial channels or drains which empty into Lake Michigan along the shore line of Indiana or Illinois.

Sec. 2. Suits to abate violations or threatened violations.—For the purpose of enforcing the provisions of section 1 of this act and to restrain and prevent violations of any of the provisions of said section, a suit or suits may be brought to abate such violation or threatened violation thereof, by any person, firm, or corporation person who shall have suffered or be threatened with damage by reason of actual violation by any firm, or corporation of any of the provisions of section 1: Provided, hovever, That such suits shall be originated in any superior or circuit court in and for the county wherein any such violation shall occur or be threatened.

SEC. 3. Investigation and advice by State board of health.—The State board of health shall study and investigate the waters of the State and waters forming the boundaries thereof, for the purpose of determining the use of such waters, the causes contributing to their pollution, the sources and the effects of such

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pollution and the practical method or methods of preventing and correcting such pollution and of maintaining such waters in such condition as to prevent damage to public health and public welfare. Said State board of health shall advise and cooperate with municipal corporations and the industries of the State in

finding the proper solution for such problems.

SEC. 4. Orders of abatement-Appeals.—The State board of health shall have the power and authority to order an abatement of any condition or practice done in violation of any of the provisions of this act by any municipal corporation, person, partnership, firm, or corporation. Such order shall be a specific written order fixing a reasonable time for the abatement of said condition and shall be duly served upon the proper officer or agent of the corporation, firm, or person against whom said order is directed. Within 10 days after the service of such notice the corporation, firm, or person against whom the same is directed may appeal from the order of said board to the circuit or superior court of the county in which the same is effective by serving a written notice of such appeal with the said board of health. When any such appeal is taken as herein provided it shall be the duty of the secretary of the State board of health to certify copies of all papers, pleadings, and orders made in such cause to the clerk of the court to which said appeal is taken. Upon receipt of said certified documents said clerk shall docket said cause as a civil action upon the dockets of said court. Issues may be formed in said cause and said matter shall be tried as a civil action and the court shall have full and complete authority to hear, try, and determine the same. Upon final determination of said cause the clerk of the court shall certify the judgment of the court to the State board of health and said board shall modify its order of abatement in accordance with the terms of the judgment of said court.

If no appear is taken from any order of abatement so made from [sic] the State board of health as aforesaid within the time herein fixed for such appeal.

said order shall become effective and final.

Sec. 5. Penalty.—Any person, firm, or corporation violating any of the provisions of this act shall be fined in a sum of not less than \$25 nor more than \$200, and each day's violation of any such provision may constitute a separate and distinct offense.

Waterworks Department in Certain Second-Class Cities. (Ch. 164, Act March 9, 1927)

[This act creates a department of waterworks in certain second-class cities which take advantage of the act. Such department is under the control of a board of trustees, whose organization, powers, and duties are set forth. Upon the adoption of the act and the organization of the board of trustees, the territory within the corporate limits of the city becomes and constitutes a waterworks district for providing the necessary water to protect the public health and welfare of the inhabitants of such district and the property therein. The act is a long one, containing 27 sections, and deals with the matter in detail.]

Cattle—Control and Eradication of Tuberculosis in—Tuberculin Testing. (Ch. 197, Act March 10, 1927)

[This act amends sections 1 and 4 of chapter 215.5 Laws of 1925, to read as follows:]

Section 1. Bovine tuberculosis, control and extirpation—Establishment of free areas—County aid to State veterinarian and United States bureau.—That in order to enable the State veterinarian to control and extirpate bovine tuberculosis more effectively, and to aid in establishing and maintaining within the State modified accredited tuberculosis-free areas, and to prevent the spread of the disease, county councils may, on their own initiative, and shall, upon the presentation of a petition signed by not less than 51 per cent of the cattle owners of any county, make an anual appropriation of such sum of money as may be required, not to exceed \$5,000, which sum shall be used in assisting the State veterinarian and the United States Bureau of Animal Industry in the employment of inspectors to apply tuberculin tests to all cattle within said county. If an appropriation shall have been made for any year for the establishment of any such county as a tuberculosis-free area, and if the work of testing the cattle in such county shall have been

⁵ Supplement 59 to Public Health Reports, p. 156.

commenced within such year, then and in that event the county council shall make an annual appropriation thereafter for the continuation of such work until all cattle within the county shall have been tuberculin tested and the per cent of bovine tuberculosis shall have been reduced to not more than one-half of one per cent, as indicated by the records in the office of the State veterinarian or the local office of the bureau of animal industry, United States Department of Agriculture. If two or more counties, which are contiguous to any other county, shall have been or are in the process of being accredited as tuberculosis-free areas, the county council of such other unaccredited county shall, upon being notified by the State veterinarian that such other two or more contiguous counties have been or are in the process of being accredited, make an appropriation to defray the expenses of carrying on the work of testing cattle in such county not so accredited. Whenever the inspector in charge for the United States Bureau of Animal Industry and the State veterinarian shall determine that the cattle within any accredited county shall be retested, to conform to the Federal regulations made and provided to govern the reaccrediting of counties, it shall be the duty of the county council of such county to make the necessary appropriation to carry on

Sec. 4. Mandatory submission of cattle to tests—Quarantine regulations.—When it shall appear from the records on file in the office of the State veterinarian or the local office of the United States Bureau of Animal Industry that 75 per cent of the cattle as shown on the records of the county assessor in any county where area tuberculosis eradication work is in progress or 75 per cent of the cattle in any township in such county as shown on such records shall have been tuberclin tested under the supervision of the State and Federal Governments, it shall then become mandatory upon the owners of the remaining 25 per cent of the cattle in such county or township, as the case may be, to submit their cattle to a tuberculin test under such supervision. Should the owner of any herd of cattle constituting any portion of the 25 per cent remaining untested fail or refuse to submit his herd, or any portion of it, to a tuberculin test as herein provided, it shall become the duty of the State veterinarian to issue such quarantine regulations as will effectually control the movement of such untested cattle and their products.

School Buildings—Preparation of Plans by Registered Architect or Engineer. (Res. Bd. of H., August 17, 1927)

Hereafter the State board of health will refuse to approve plans for school buildings and for the installation of plumbing, heating, ventilation, and other sanitary features in school buildings unless such plans have been prepared by a registered architect or engineer as provided in the law creating the State board of registration for professional engineers and land surveyors.

School Buildings-Ventilation. (Res. Bd. of H., August 24, 1927)

1. All ventilating units used in school buildings and taking the fresh air supply through the wall of the schoolroom shall be placed at sufficient height from the floor to permit sweeping and cleaning under such unit.

2. The fresh air supply to each unit shall be automatically controlled by the temperature of the schoolroom, thus assuring that all fresh air dampers will be wide open at all times when the room is being used for school purposes. Where more than one unit is used in the room each unit must be adequately controlled.

3. The unit or units shall be of sufficient capacity to meet all the requirements of the Indiana sanitary schoolhouse law, and no unit shall deliver the fresh air supply into the schoolroom at a greater velocity than 400 lineal feet per minute.

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4. That the secretary of said board be, and is hereby, ordered and directed to cause said rules, regulations, and addenda to be published and distributed and that said secretary shall enforce said rules, regulations, and addenda from and after the promulgation of this resolution.

Sewage-Disposal Systems—Construction by Cities Authorized—Issuance of Bonds. (Ch. 233, Act March 10, 1927)

Section 1. Cities—Sewage-disposal systems, authorization for establishment— Funds through issuance of bonds.—That the common council of any city of this State may, and it is hereby, empowered to authorize the issuance of bonds INDIANA 265

of the city for the purpose of providing funds for the payment of the necessary expense in the erection and construction of sewage-disposal plants, including lands, rights of way, materials, personal property, attorneys' fees, engineering costs, and the costs of constructing intercepting sewers, and the costs of constructing connecting or intercepting sewers that may be necessary to connect the sewage or drainage system of said city with the sewage-disposal plant or plants and all other costs necessary and proper to provide for and construct an

adequate sewage-disposal system for such city.

Sec. 2. Issuance, allotment, and retirement of bonds.—In the issuance of the bonds herein provided, the common council may authorize the issuing of said bonds for the aggregate amount of the costs of such improvements, and thereafter the city may issue said bonds in series for a period not to exceed 40 years from the date of such bonds. Such bonds may be issued in allotments as the work progresses and such bonds are to be in such denominations and such maturities and rate of interest as may be specified in the proceedings authorizing such issuance: Provided, That said bonds shall be retired annually in series over the period for which the said bonds were issued upon such terms as are provided in the proceedings authorizing such issue.

SEC. 3. Use of funds arising from sale of bonds.—The funds arising from the sale of such bonds shall be deposited with the city treasurer and kept in a separate fund, and deposited as other public funds are deposited. And whenever any contracts, for the purposes provided for in this act, shall have been ratified by the common council, thereafter warrants may be drawn upon said fund by the city controller for no other purpose than that provided for by this act upon vouchers of the board of public works of the city, and for such purposes said funds may be withdrawn and paid out without further appropriation.

SEC. 4. Effect of act upon existing laws.—This act is not intended to and shall not be construed to alter or repeal in any way any now existing law.

Certain Sewers—Construction by First-Class Cities—Assessments for. (Ch. 184, Act of March 10, 1927)

Section 1. City of first class-Construction of certain sewers and drains-Filing of proceedings in circuit court.—That whenever the board of public works of any city of the first class shall declare that it is necessary for the public welfare of and benefit to the said city, or any part or portion thereof, to construct any local or main sewer or drain, designed to receive the drainage of land and the sewage from dwellings and buildings, both within and without the corporate limits of the city, and whenever said board shall declare that it is necessary for the public welfare of the said city or any part or portion thereof to construct any local or main sewer or drain designed to receive the drainage of land or sewage from dwellings or buildings wholly without such city and which shall be designed to connect with or be a part of said city's sewer system or sewage-disposal system, and shall order that the same be constructed, it shall cause the necessary drawings and specifications to be made for the work and filed in such office. At the time of making the order for such improvement or work the board of public works may take into consideration whether the said work or improvement, when completed, will beneficially or injuriously affect any lands or property outside of the corporate limits of said city. In case the board shall find and declare that the proposed work, when completed, will injuriously or beneficially affect lands or property without the corporate limits of such city, then in that case only the said board shall file a copy of all proceedings had in the matter of the said improvement or work in the circuit court of the county in which such city is situated, including a list of all persons whose property will be so affected, as the same appears upon the records of the county at the time the said board passes said declaration for improvement, with a description of the boundaries embracing the same; which proceedings will be docketed in the circuit court as a cause; and the court shall fix a time when the same shall be heard.

SEC. 2. Setting of date for hearing—Notice to persons affected.—When the court shall have fixed the time for hearing in any such proceedings the clerk of said court shall notify all persons mentioned in such proceedings, or to be injuriously or beneficially affected thereby, that the said proceedings will be heard at a date named, which notice said clerk shall cause to be published once a week, for at least three weeks, in some newspaper of general circulation throughout the county. It shall not be necessary in such notice to set out the names of the persons beneficially or injuriously to be affected by such work,

but it shall be sufficient in said notice to give the outlying boundaries of the district or locality which such board shall have determined to embrace all the persons to be injuriously or beneficially affected thereby, as set forth in the said proceedings; and the same may be continued and adjourned from time to time.

SEC. 3. Hearing, order, and judgment—Advertising for work—Letting of contract.—At such hearing any property holders within the boundaries of said district may file an answer showing any reason why said improvement should not be made, and upon such issue the court shall hear evidence and determine the facts. If the court shall determine that such improvement or work shall be made substantially as proposed by the said proceedings, then the court shall enter a judgment accordingly; otherwise, dismiss the proceedings. From such judgment there shall be no appeal. In case the court shall order and adjudge that the said work or improvement shall proceed, the board shall advertise for such work, let the same by contract, and in these [and] all other respects proceed in accordance with the provisions of the law now in force relating to the

construction of sewers and drains wholly within the city.

SEC. 4. Assessments of benefit and awards of damage—Payment for work.— Such work as is herein provided for shall be carried on under the supervision of the board of public works, and when the same is finally accepted by said board it shall certify the fact of such completion and acceptance to said court. It shall be the duty of said board of public works to inspect the line of said proposed improvement or work, and the property within such district, and upon the completion and acceptance of the improvement or work, to estimate and assess the benefits against each piece of property to be benefited by said work, not in excess of the cost thereof, and award damages to each piece of property injuriously affected thereby: Provided, That when any such sewer is not only adapted to receive the sewage from land along the line of said sewer, but it also intended and adapted to receive the sewage from collateral sewers or drains, already constructed or to be constructed thereafter, the cost of an adequate local sewer sufficient to serve the property along the line thereof shall be estimated at a per cent of the total cost and stated in the resolution therefor: Provided, however, That any such lands so assessed for the construction of said sewer which can not be served by such sewer without the extension of main sewers, or main laterals or local sewers, shall not be required to pay such assessments, and such assessments shall not become and constitute liens upon the real estate so assessed, but such assessments shall be suspended until such properties so assessed are made accessible by main sewer, lateral or local extension of the sewer provided for in this act.

For the purpose of procuring funds with which to pay the construction of such sewer, in lieu of the suspension in the payment of such assessments against such property so assessed, the cities of the first class shall pay the difference out of its [sic] general funds, if any such funds are available, or if such funds are not available such city shall cause to be issued bonds of such city for the total amount of such assessments, which are so suspended by the provisions of this act, together with all direct assessments against such city for the payment of the cost of such construction and any reduction in assessments made by any procedure provided for under the city and town act by which reduction such city is required to pay any portion of an assessment so reduced: Provided, further, That the amount of such assessments shall be carried forward until such property is made accessible to such sewer, by main sewers, laterals, and locals, at which time the amount of such assessments shall be carried forward to the local assessment for such sewer and added to such assessment for such local sewer, at which time such combined assessment shall become a lien upon said real estate to the amount of such total assessments for all main, intercepting, extended, lateral, and local sewers, and all funds so collected through such assessments against such property shall constitute a separate fund with which to redeem and pay such bonds so issued for such purpose. As soon as the work of constructing any such sewer or drain shall have been completed and accepted, the city's portion of the cost shall be calculated and assessed against such city. Such cost may be paid from the general fund or from a fund which such city is hereby authorized to create by a permanent loan or loans and to issue bonds of such city for such loan or loans, which bonds shall be payable in equal series annually thereafter for a period not exceeding 20 years, which loan or loans shall be made and the bonds issued and sold therefor under the law as other permanent loans are made and as bonds are issued and sold therefor by cities of the first class. Said loan or

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loans shall be made and bonds issued therefor sufficient for the payment of so much of the city's part of the cost of such sewers as have been constructed and assessments made and approved with interest thereon, prior to such issue, as is to be paid for in such manner. In anticipation of the establishment of a fund for the payment of the city's portion of such cost, as hereinbefore provided, certificates in denominations to be fixed by the board of public works shall be issued to the contractor for the amount of the city's portion of such cost, which shall entitle said contractor to the amounts named therein when a fund for the redemption of the same shall have been provided. Such certificates shall be negotiable as inland bills of exchange and shall bear interest at a rate not to exceed 6 per cent per annum from the date of the final approval of the assessment rolls. Any sale or assignment of any such certificates shall be registered in the office of the city controller of the city which has issued such certificates, and it shall be sufficient to notify the owners of record in the office of said city controller of the intention of such city to redeem such certificates, at a time stated in such notice, and interest shall cease upon such date. Said rate of interest shall be fixed by the board of public works in the resolution ordering such improvement. Such list of assessments of benefits and award of damages, upon completion, shall be submitted to the court for approval and to be filed in said proceedings, together with two copies thereof, which upon the approval of said court shall be certified under the seal of the court, one copy to the county treasurer and one copy to the city controller: Provided, however, That before said copies of said list are filed with the treasurer and controller, the clerk of the court shall give notice by publication once each week for two consecutive weeks in a newspaper of general circulation throughout the county, stating that said list has been filed by the board of public works and has been approved by the court and will be filed with said treasurer and controller on a date named therein after the last publication.

SEC. 5. Appeals from assessments.-Appeals from such assessments may be made to the circuit court within 15 days from the time such assessment rolls are filed, to be conducted as other appeals from assessments for street improve-

ments and sewers wholly within the city as now provided by law.

Sec. 6. Payment of excess costs from general fund.—If said board of public works shall find that such improvement is necessary for the public welfare of such city and that the benefits assessed together with any amount the city is herein required to pay shall be less than the amount required to pay the damages awarded and to pay for such improvement, said board shall order and direct that any balance required for said purpose shall be paid by the city out of the general fund or out of any fund provided under the provisions of this act.

SEC. 7. Applicability of existing laws.—The provisions of existing laws for the liens of assessments, the collection of assessments, right of election of property holders to pay the same in installments, the issue of bonds to anticipate the same and all other provisions with regard to street or sewer improvement assessments shall govern in the matter of assessments made for or on account of improvements constructed under the provisions of this act, so far as the

same are applicable.

SEC. 8. Appropriation and condemnation of property.-In case it shall be necessary at any time to take, acquire, appropriate, or condemn for the use of such city any property, real or personal, whether within or without such city, in order to carry out and complete such work or improvements, the same may be taken, appropriated, condemned, and paid for as in other cases provided by law.

Sec. 9. Further proceedings under existing laws.—All further proceedings in relation to any such improvement and matters connected therewith and any necessary proceedings not fully provided for in this act shall be done and performed in accordance with the requirements of law now governing like public

improvements in cities of the first class.

SEC. 10. Survey of board of works-Establishment of drainage areas-Additional engineers.—In order to be sufficiently advised and to be able to properly carry out the purposes of this act said board of public works shall have authority to make a survey of all of the territory surrounding said city and within 5 miles of the corporate limits thereof, but within the county in which such city is located, to establish drainage areas and to make plans for such additional sewers and extensions of the existing sewer system as in their opinion may be necessary to serve the future needs of such city; and shall have authority to employ additional engineers and assistants who shall be under the direction of the city civil engineer, in the performance of such work, and to

fix their compensation. Said board shall also have authority to adopt rules and regulations governing the construction of sewers within such territory which are intended to connect with or become a part of the sewer system or sewage disposal system of such city.

SEC. 11. Repeal.—All laws and parts of laws in conflict herewith in so far

as they apply to cities of the first class are hereby repealed.

Sewer Districts—Establishment in Certain Territory—Construction of Sewers in—Special Tax. (Ch. 93, Act March 7, 1927)

Section 1. Certain second-class cities—Sewers and drains—Declaration for construction.—That whenever the board of public works of any city of the second class having a population of not less than 60,000 and not more than 70,000, according to the last preceding United States census, and having an assessed valuation of not less than \$\$5,000,000 and not more than \$100,000,000, according to the last preceding assessment for taxation, is of the opinion that the construction of any sewer or drain, designed to receive drainage or sewage both within and without the corporate limits of such city, is necessary for the public welfare of such city, or any part or portion thereof, it may, by resolution, describing it, declare that such sewer or drain be constructed, and cause the necessary surveys, estimates, drawings, plans, and specifications for the proposed

work to be made and filed in the office of the board.

SEC. 2. Board of public works-Petition to be filed in court.-At the time of making the declaratory resolution for the construction of such sewer or drain, the board of public works shall take into consideration whether such proposed work, when completed, will beneficially or injuriously affect any lands or property situated outside of the corporate limits of such city. In case the board shall find and declare that the proposed work, when completed, will injuriously or beneficially affect lands or property outside of the corporate limits of such city, then and in that event the board shall file its petition with a copy of all the proceedings had in the matter of such work in the circuit or superior court of the county in which such city is located, including a description of the territory which will be beneficially or injuriously affected and included in the proposed sewer district, which proceedings shall be docketed in the court as a cause pending therein, and the court shall fix a time after publication of notice when the same shall be heard: Provided, That in the event the owner or owners of any separate and distinct tract or tracts of land lying outside the corporate limits of such city shall petition such board of public works requesting that his or their property or other property lying outside the corporate limits be included in the territory which will be affected by said proceedings, then the board shall file in such court a copy of such property owners' petition, together with the copy of the proceedings had by the board: And provided further, That such petition or petitions by such property owners may be filed with the court at any time during the pendency of said proceedings in such court.

SEC. 3. Notice to interested parties by clerk of court.—Thereupon the clerk of the court in which such cause is pending shall notify all persons who will be injuriously or beneficially affected thereby that such proceedings will be heard at a date named, which notice such clerk shall cause to be published once a week for at least two weeks, in some newspaper of general circulation printed and published in the county. It shall not be necessary in such notice to set out the names of all of the persons who will be beneficially or injuriously affected by such proposed work, but it shall be sufficient in such notice to refer to the plans and specifications on file, and to give the outlying boundaries of the territory which such board shall have determined to embrace in such district, as set forth in such proceedings, and the same may be continued and adjourned from

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time to time as the court may direct.

SEC. 4. Hearing and judgment—Establishment of sewer district.—At such hearing any property holder within the boundaries of the proposed district may file an answer showing any reason why such sewer or drain should not be established and constructed, or why such property holder should not be included in the proposed district, and upon such issue the court shall hear evidence and determine the fact. If the court shall determine that such improvement or work should be made substantially as proposed by such proceedings, the court shall enter a judgment accordingly. Otherwise, the proceedings shall be dismissed. From such judgment there shall be no appeal. If the court shall enter a judgment establishing such work, the court shall fix the boundaries of

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such district including therein all or any part of the territory embraced in the proceedings, or including therein any additional territory which may be found to be injuriously or beneficially affected: Provided, That a supplemental declaratory resolution or petition of a property owner be filed, and supplemental notice given, and hearing had to determine the issues as to said additional territory, and shall declare such district to be a special taxing district for the purpose of establishing and constructing such sewer or drain and the board of works of the city included in such district shall be the board of commissioners of such sewer district: Provided, That the court may in its discretion appoint two taxpayers of such sewer district to act together with the members of the board of public works as such board of commissioners of such sewer district: And provided further, That the court may fix the compensation to be paid as part of the expenses of said improvement to said members of said board of commissioners of such sewer district.

Sec. 5. Board of commissioners of sewer district, certain duties of.—In case the court shall order and adjudge that the proposed improvement shall proceed and shall declare the sewer district established, the work shall be done under the direction, control, and supervision of the board of commissioners of the sewer district, which board shall advertise for bids for such work, let the same by contract, and except as herein otherwise provided proceed in accordance with the provisions of the law now in force relating to the construction of sewers and drains wholly within a city. In case such sewer district is ordered to be established, such board of commissioners shall be known and designated as "the board of commissioners _______ sewer district, No. ____", which designation shall particularly include the name of the second class city party

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Sec. 51/2. Reports of commissioners—Jurisdiction of appeals.—Such cause shall remain on the docket of said court as an action pending therein until such work shall be completed and acceptance thereof confirmed by the court. Such board of sewer commissioners shall report to said court concerning the letting of the contract, the amount thereof, and the bond taken to secure the performance thereof, and upon final completion of such work such board shall report to said court such fact and the amount actually paid the contractor therefor. Any taxpayer within such sewer district affected by said proceedings may appear and object to the acceptance of such reports. The court shall confirm or reject such reports and after the final report shall be confirmed the court shall enter an order finally confirming all acts of said board of commissioners of such sewer district. Any appeals taken in the course of said proceedings and all suits of whatsoever nature relating to or affecting the establishment of such sewer district, the issuance of bonds, the levy of taxes or the improvements to be made in such sewer district proceedings, shall be taken, instituted, and determined only in the court establishing such district, the jurisdiction of which court in all such matters shall be exclusive and its judgment final. Laws relating to change of venue from the county shall not apply, but changes of venue from the judge may be had as in other civil cases.

SEC. 6. Appropriation or condemnation of property.—In case it shall be necessary at any time to take, acquire, appropriate, or condemn for the use of such district, any property, either real or personal, whether within or without such city, for the purpose of carrying out and completing such work, the same may be taken, appropriated, condemned, and paid for by said board of commissioners of said sewer district by procedure as provided by law for the appropriation of property by boards of public works, and such board of commissioners shall have all powers granted by law to boards of public works in such proceedings, except as herein otherwise specifically provided for. Or the board, for and on behalf of such district, may purchase and acquire the same and take a conveyance in the name of such city for the use and benefit of such district, under the provisions

of the law relative to the construction of sewers wholly within a city.

SEC. 7. Further proceedings.—All further proceedings in relation to any such improvement shall, except as herein otherwise provided, be done and performed in accordance with the requirements of law governing public improvements in

cities of this State performed by the board of works.

SEC. 8. Presumptive notice of proceedings.—All persons shall be conclusively presumed to have been notified and have knowledge of the commencement and pendency of any proceeding hereunder for the construction or improvement of any sewer or drain herein contemplated, by the original or supplemental notices by the clerk of the court as provided for in section 3 of this act, and in the event of the execution of any contract hereunder the validity thereof shall not be

subsequently questioned by any person except in a suit to enjoin the performance of such contract instituted by such person within 10 days from the execu-

tion of said contract.

SEC. 9. Bonds to defray costs and expenses—Conditions—Issuance.—For the purpose of raising money to pay the cost of any land acquired either by purchase or appropriation, and to pay the damages to any property, and the cost of any improvement or work of construction undertaken under the provisions of this act, and the expenses incidental to said proceedings, the board of commissioners of such sewer district, by resolution, shall cause to be issued in the name of the second-class city party to said proceedings the bonds of said sewer district, not to exceed the total cost of all lands so acquired and the contract price of the improvements and all expenses necessarily incurred in connection with said proceedings, together with a sum sufficient to pay the cost of administration and supervision during the period of construction of said The said expenses to be covered in the amount of such bond issue shall include all expenses of every kind, actually incurred preliminary to the acquiring of said land and the construction of such work, such as the cost of necessary work, engineering expense, publication of notices, salaries, and reasonable attorney's fees for said board of commissioners and for such petitioners as may join in the preparation and presentation of the petition, the prosecution of same and for such services as may be necessary in any stage of the proceedings, as may be fixed by said commissioners not exceeding 4 per cent of the cost of the improvement, as legally approved, and other expenses necessary to be incurred prior to and in connection with the acquiring of such land, the letting of such contract, and the sale of bonds as herein authorized. If more than one contract for work is let by said board at approximately the same time, it shall be lawful to provide for the cost involved in all such contracts in one issue of bonds. Such bonds shall be issued in any denominations of not more than \$1,000 each, and shall be payable in equal semiannual installments on January 1 and July 1 for a period not exceeding 40 years, the first maturity to be on the 1st day of July of the year following the next annual levy making period after their date of issue. Said bonds shall be negotiable as inland bills of exchange and shall bear interest at a rate of not exceeding 5 per cent per annum, payable semiannually, on the 1st day of January and July of each year. Said bonds shall be signed in the name of said city by the mayor and city controller. Such bonds shall be exempt from taxation for any and all purposes. All bonds so issued by said sewer district in the name of said city shall be sold by the controller of said city to the highest bidder therefor as other public improvement bonds are sold, but in no event at less than par, after giving notice of the sale of such bonds by one publication in a newspaper of general circulation printed and published in such district, which publication shall be made not less than 15 days prior to the date fixed for the sale of said bonds. Said bonds shall not in any respect be an obligation or indebtedness of said sewer district, and said bonds and interest thereon shall be payable only out of special taxes levied upon all the property, both real and personal, of said sewer district as hereinafter provided: Provided, however, That the total issue of such bonds shall not at any time be in excess of 2 per cent of the total assessed valuation (after deducting all mortgage exemptions) of the property, both real and personal, of the sewer district, and all bonds or obligations issued in violation of this act shall be void.

The proceeds from the sale of said bonds and all interest thereon shall be kept as a separate and specific fund to pay the cost of the land so acquired, and of the construction of such work, and all cost and expenses incurred in connec-

tion therewith, as herein provided.

No suit to question the validity of said bonds so issued for said sewer district, or to prevent their issue, shall be instituted after the date set for the sale of said bonds, it being understood, however, that this shall not be construed as granting any additional right to question the validity of any improvement contract other than as provided by section 8 hereof.

For the purpose of having the controller of said city issue such bonds as herein provided, the board of commissioners shall certify to the controller of said city a copy of the resolution authorizing the issuance of such bonds, together with the cost of all real estate and improvements as well as all other costs and expenses, immediately upon the ascertainment of the full amount of the cost of such real estate, improvement, and expenses. Thereupon said controller shall prepare said bonds and offer the same for sale.

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SEC. 10. Special tax to pay bonds and interest thereon.—For the purpose of raising money to pay all bonds provided for in this act and interest thereon, the board of commissioners of said sewer district is empowered to levy and shall levy each year a special tax upon all property, both real and personal, of said sewer district in such manner as to meet and pay the principal of said bonds as they severally mature, together with accruing interest thereon. Said board shall cause said tax so levied each year to be certified to the city controller of said city and to the auditor of the county in which said sewer district is located at the time of the regular annual levy making period of such city. Such tax so levied and certified shall be estimated and entered upon the tax duplicate by the county auditor and shall be collected and enforced by the city treasurer in the same manner as the State and county taxes are now estimated, entered, collected, and enforced; and as such tax is collected by the city treasurer it shall be accumulated and kept in a separate fund to be known as "__ district bond fund, No. ____," and shall be applied to the payment of the aforesaid sewer district bonds and interest as they severally mature and are payable and to no other purpose whatsoever: Provided, however, That all accumulations of such fund, prior to their use for the payment of such bonds and interest, shall be deposited at interest with the depository or depositories of other public funds in such city and all interest collected thereon shall belong to such fund.

Sec. 11. Act to be supplemental and alternative in effect.—This act shall not be construed as repealing any existing laws relating to the establishment of sewer districts or the construction of sewers, but shall be construed as supplemental thereto and affording an alternate or additional method for the establishment of such districts and the construction of such sewers. It shall not be necessary to comply with the provisions of any other existing laws in carrying out the proceedings provided for herein, except as otherwise specifically provided

for herein.

Mental Defectives-Sexual Sterilization. (Ch. 241, Act March 11, 1927)

Section 1. Sexual sterilization of inmates of State institutions in certain cases—Authorization.—That whenever the superintendent of any hospital or other institution of this State, or of any county in this State, which has the care or custody of insane, feeble-minded, or epileptic persons, shall be of the opinion that it is for the best interests of the patient and of society that any inmate of the institution under his care should be sexually sterilized, such superintendent, if a lawfully licensed surgeon, is hereby authorized to perform, or cause to be performed by some capable physician or surgeon, an operation or treatment of sterilization on any such patient confined in such institution afflicted with hereditary forms of insanity that are recurrent, idiocy, imbecility, feeble-mindedness, or ep lepsy: Provided, That such superintendent shall have first complied with the requirements of this act.

Sec. 2. Petition by superintendent to governing board—Notice, hearing, order.—Such superintendent shall first present to the governing board of such institution a petition stating the facts of the case and the grounds of h s opinion, verified by his affidavit to the best of his knowledge and belief, and praying that an order may be entered by said board requiring him to perform or to have performed by some competent physic an to be designated by him in his said petition or by said board in its order, upon the inmate of his institution named in such petition, the operation of vasectomy if upon a male and of salpingeetomy if upon a female; or any other more suitable operation or

treatment having sure sterilizing results.

A copy of said petition shall be served upon the inmate, together with a notice in writing designating the time and place in the said institution or elsewhere, not less than 30 days before the presentation of such petition to said board, when and where said board may hear and act upon such petition. Such

inmate shall be produced before such board of [sic] such hearing.

A copy of the said petition and notice shall also be so served upon the legal guardian or next of kin of the said inmate, if such guardian or next of kin be known to the said superintendent, and if there be no such guardian or next of kin or if none such be known to the said superintendent, then the said superintendent shall apply to the circuit court of the county in which his said institution is situated, or to the judge thereof in vacation, who by a proper order entered in the order book of the said court shall appoint some suitable person to act as guardian ad litem of the said inmate during and for the pur-

poses of proceedings under this act, to defend the rights and interests of the said inmate, and the guardian ad litem so appointed shall be paid by the said institution a fee of not exceeding \$25 as may be determined by the judge of the said court for his services under said appointment, and such guardian ad litem shall be served likewise with a copy of the aforesaid petition and notice. Such guardian may be removed or discharged at any time by the said court or the judge thereof in vacation and a new guardian appointed and substituted in his place. If the said inmate be an infant having a living parent or parents whose names and addresses are known to the said superintendent, they or either of them as the case may be shall be served likewise with a copy of the said petition and notice.

After the notice required by this act shall have been so given, the said board at the time and place named therein, with such reasonable continuances from time to time and from place to place as the said board may determine, shall proceed to hear and consider the said petition and the evidence offered in support of and against the same: *Provided*, That the said special board shall see to it that the said inmate shall have opportunity and leave to attend the said hearings in person if desired by him or if requested by his guardian or parent

or next of kin served with the notice and petition aforesaid.

The said board may receive and consider as evidence at the said hearing the commitment papers and other records of the said inmate with or in any institution as certified by the superintendent or superintendents thereof, together with such other legal evidence as may be offered by any party to the proceedings.

Any member of the said board shall have power to administer oaths to any

witnesses at such hearing.

Depositions may be taken by any party after due notice and read in evidence

if relevant.

The said board shall preserve and keep all record evidence offered at such hearings and shall have reduced to writing in duplicate all oral evidence so heard, to be kept with its records.

Any party to the said proceedings shall have the right to be represented by

counsel at such hearings.

The said board may deny the prayer of the said petition or if the said board shall find that the said inmate is insane, idiotic, imbecile, feeble-minded, or epileptic, and by the laws of heredity is the probable potential parent of socially inadequate offspring likewise afflicted, that the said inmate may be sexually sterilized without detriment to his or her general health, and that the welfare of the inmate and of society will be promoted by such sterilization, the said board may order the said superintendent to perform or to have performed by some competent physician to be named in such order upon the said inmate, after not less than 30 days from the date of such order, the operation of vasectomy if a male or of salpingectomy if a female, or any other more suitable operation or treatment having sure sterilizing results: *Provided*, That nothing in this act shall be construed to authorize the operation of castration nor the removal of sound organs from the body.

SEC. 3. Appeal to circuit court—Stay of proceedings.—From any order so entered by the said board, the said superintendent or the said inmate or his guardian or parent or next friend shall within 30 days after the date of such order have an appeal as of right to the circuit court of the county in which the said institution is situated, which appeal may be taken by giving notice thereof in writing to any member of the said board and to the other parties to the said proceeding, whereupon the said superintendent shall forthwith cause a copy of the petition, notice, evidence, and orders of the said board certified by the chairman or in his absence by any member thereof to the clerk of the said circuit court, who shall file the same and docket the appeal to be heard and deter-

mined by the said court as soon thereafter as may be practicable.

The said circuit court in determining such appeal may consider the record of the proceedings before the said board, including the evidence therein appearing, together with such other legal evidence as the said court may consider pertinent and proper that may be offered to the said court by any party to the appeal.

Upon such appeal the said circuit court may affirm, revise, or reverse the orders of the said board appealed from and may enter such order as it deems just and right and which it shall certify to the said board.

The pendency of such appeal shall stay proceedings under the order of the board until the appeal be determined

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Sec. 4. Appeal from circuit court to supreme court.—Any party to such appeal in the circuit court may within 30 days after the date of the final order therein apply for an appeal to the supreme court, which supreme court may grant or refuse such appeal and shall have jurisdiction to hear and determine the same upon the record of trial in the circuit court and to order the circuit court to make in the matter such order as may to the supreme court seem proper. The pendency of an appeal in the supreme court shall operate as a stay of proceedings under any orders of the board or of the circuit court until the appeal be determined by the supreme court.

Sec. 5. Liability of persons participating in execution of act's provisions.— Neither any of said superintendents nor any other person legally participating in the execution of the provisions of this act shall be liable either civilly or criminally on account of such participation but they shall not be exempt from such action for any illegal or criminal act which may be incidental or collateral

to such participation.

Sec. 6. Medical or surgical treatment, effect of act upon.—Nothing in this act shall be construed so as to prevent the medical or surgical treatments for sound therapeutic reasons of any person in this State by a physician or surgeon licensed by this State, which treatment may incidentally involve the nullification or destruction of the reproductive functions: Provided, That such treatment shall be that which is recognized as legal and approved after due process of law.

Communicable Diseases—Reports of Cases—Investigation of Suspected Cases—Reports to State Department of Health—Placarding—Quarantine—Disinfection—Attendance at School and Gatherings—Sale of Dairy Products—Carriers—Immunity—Isolation—Terms Defined—Contacts—Control Measures for Specific Diseases. (Reg. Dept. of H., July 21, 1927)

Section I. Authority, as related to communicable disease.—1. Necessity and requirements: It is hereby declared by the State department of health to be necessary and proper for the preservation of the public health to make the following rules and regulations concerning relationship with places of infection and for the apprehension and treatment of persons who may be affected with or who shall have been exposed to any infectious, contagious, or communicable disease.

2. Minimum requirements: It is hereby declared by the Iowa State Department of Health that these rules and regulations are to be the minimum require-

ments for the safeguarding of the public health within this State.

3. Power to make additional rules: Local boards of health are authorized and empowered by law to make such additional rules and regulations for the care and control of communicable diseases as may be necessary within their jurisdiction, provided they are not in conflict with these basic rules and regulations and are not contrary to the best public health practice.

4. Reports required: The physician in attendance, parents, guardian, schoolteacher, or householder, where a case of communicable disease exists must on

its discovery immediately report the case to the local board of health.

5. Health officer to examine: The local boards of health upon receiving a report of a communicable disease from a person who is not a licensed physician must at once give an order to the local health officer to visit and examine the case reported. The health officer or representative of the local board of health after receiving the order must examine the person suspected of having the disease and make a report to the local board of health with his recommendations.

6. Investigation of reports: Whenever it is reported that a suspected case of reportable disease exists or that a person has reason to believe that a case exists, the local board of health shall have the report investigated by its health officer and adequate means must be provided for the protection of the public.

7. Reports to State department: Local boards of health must forward the reports of all communicable diseases to the State department of health within

24 hours after they are received.

8. Removal: Should local boards of health allow the removal of a case of communicable disease while in an infectious stage, from their jurisdiction, this

fact must be reported to the State department of health.

SEC. II. Penalty and enforcement.—1. Penalty for violation: Sections 2246 and 2279 of the State code of 1923 provide that anyone who neglects or refuses to comply with and obey any order, rule, and regulation of the local or State department of health shall be guilty of a misdemeanor.

2. Rules enforced: Sections 2234 and 2244 of the State code of 1924 provide that local boards of health shall obey and enforce the rules and regulations of the State department of health, and peace officers and police officers within their respective jurisdiction when called upon to do so by local boards shall execute the orders of such board.

SEC. III. Scope of rules and regulations.—For the purpose of these rules and regulations the following diseases are declared to be reportable:

- 1. Actinomycosis.
- 2. Acute infectious conjunctivitis (ophthalmia neonatorum).
- 3. Ankylostomiasis.
- 4. Anthrax.
- 5. Cerebrospinal fever (meningococcus meningitis).
- 6. Chancroid.
- 7. Chicken pox.
- 8. Cholera.
- 9. Dengue.
- 10. Diphtheria (membranous croup).
- 11. Dysentery (amoebic or bacillary).
- 12. Encephalitic lethargica (sleeping sickness).
- 13. Erysipelas.
- 14. Favus.
- 15. German measles.
- 16. Gonorrhea.
- 17. Glanders.
- 18. Influenza (epidemic).
- 19. Impetigo.
- 20. Leprosy.
- 21. Malaria.22. Malta fever.

- 23. Measles.
- 24. Mumps.
- 25. Paratyphoid fever.
- 26. Pellagra.
- 27. Plague.
- 28. Pneumonia (lobar or broncho).
- 29. Poliomyelitis (acute anterior).
- 30. Rabies.
- 31. Rheumatic fever (acute).
- 32. Rocky Mountain fever.
- 33. Scarlet fever (scarlatina).
- 34. Septic sore throat.
- 35. Smallpox.
- 36. Syphilis.37. Tetanus.
- 38. Trachoma (granular conjunctivitis).
- 39. Trichinosis.
- 40. Tuberculosis (pulmonary).
- 41. Tularemia. 42. Typhoid.
- 43. Typhus.
- 44. Vincent's angina.
- 45. Whooping cough.
- 46. Yellow fever.

Sec. IV. Reporting.—A. Reports of cases: For the purposes of these rules and regulations a case of any of the diseases mentioned in Section III may be said to be reported immediately when the name of the person (or office number of case of venereal disease), address, age, sex, together with the name of the disease existing or suspected, is given in writing to the local board of health, within six hours after seeing such a case. The report shall be properly dated and signed (including address) by the physician or other person so reporting

B. Special reports. For reporting chancroid, gonorrhea, or syphilis, special blanks are obtainable at the office of each city, village, or township clerk which

must be filled out and submitted as the official report of the case. C. Who must report: Cases must be reported as described above by the fol-

lowing persons, provided that no person shall be prosecuted for not reporting a case that has already been reported.

(a) Physicians must report all cases known or suspected by them of having any of the diseases mentioned in Section III of these rules and regulations.

(b) Nurses must report all cases and suspected cases not already reported, that come under their observation, of the diseases mentioned in Section III of these rules and regulations.

(c) Every known case of communicable disease occurring in any employee, student, resident, attendant, member, or other person similarly associated must be reported to the local board of health by the responsible parties, whether parent, guardian, superintendent, teacher, manager, keeper, or supervisor of the home, institution, factory, or place of assembly with which the case is associated.

(d) Every citizen is requested to report all persons who they have reason to believe have any of the diseases mentioned in Section III of these rules and

regulations.

(e) All licensed embalmers must report all cases where they are called to embalm the body of a person whose death certificate certifies that the primary or contributory cause of death was one of the diseases mentioned in Section III of these rules and regulations.

D. New cases in same home: Every new case of a reportable communicable disease developing in a family where one already exists must be reported.

SEC. V. Placarding of cases.—Samples of placards: For the purpose of these rules and regulations there shall be four placards as follows:

(A) QUARANTINE PLACARD

A quarantine placard shall be a yellow card not less than 12 inches square, having printed thereon in large letters the following:

OHARANTINE

(Name of the disease printed or written in)

No one shall enter or leave these premises except as provided in the rules and regulations of the State department of health or local board of health.

This card constitutes an official notice of the establishment of this quarantine.

Mayor or Clerk.

The above placard with the appropriate name of the disease being quarantined inserted must be used in placarding diphtheria, scarlet fever, smallpox, infantile paralysis, epidemic meningitis, and all other diseases designated as quarantinable.

(B) TEMPORARY QUARANTINE

This card establishes a quarantine for 24 hours only. This temporary quarantine may be extended for a second 24 hours by local board of health.

During this temporary quarantine all quarantine rules and regulations shall apply to these premises.

This card constitutes an official notice of the establishment of temporary quarantine.

Mayor or Clerk.

A temporary quarantine placard will be used in the event that the type of the disease is not immediately determined or diagnosed. All persons in a household under "Temporary quarantine" shall observe all the requirements of quarantine until a proper and correct diagnosis is made. When a definite diagnosis can be established the report of such diagnosis must be given in writing to the local board of health, who will change the placard in accordance with the findings and as required by these rules and regulations.

(C) WARNING

(Name of the disease printed or written in)

WITHIN

It is a misdemeanor punishable by law:

(1) To expose minor children to this disease. (2) For any child susceptible to this disease to return to school from these premises while this card is posted.

(3) To remove this placard without authority of the local board of health.

Mayor or City Clerk.

The above card is used for cases of chicken pox, German measles, mumps, whooping cough, and any other disease designated as placardable.

(D) DIPHTHERIA CARRIER

KEEP OUT

This card restricts the movements of the diphtheria carrier. (1) Adults, not carriers, may go and come as usual. (2) Children living in this home in contact with the carrier must not attend school or public gatherings.

NOTICE.—No one shall enter or leave these premises except such persons as are authorized by the rules and regulations of the State department of health or of the local board of health.

Mayor or City Clerk.

Sec. VI. Quarantine.—Quarantine defined: For the purpose of these rules and regulations "quarantine" shall mean the segregation of persons having or suspected of having any communicable disease in such a place and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to the public.

A. Quarantine can be established only for an area or dwelling or such parts of a dwelling as have facilities for obtaining food, washing clothes, and means of personal toilet.

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Under such circumstances as approved by the local board of health any other rooms under the same roof not needed by the persons within the quarantine may be sealed off by a representative of the local board of health and used for other purposes, provided that entrance and exit can be had without entering the quarantined area.

B. A quarantine can only be established in quarters that have facilities to provide for the ordinary necessities of life and any additional requirements of the sick person. Where such facilities do not exist, the local board of health

may remove the case to another proper place as authorized by law.

C. Appropriate notice of all quarantined areas shall be given the public by the local board of health by means of placards and when deemed necessary, in

other ways.

D. No person or thing shall enter or leave a quarantine without specific permission of the local board of health. The physicians in attendance upon the case are hereby granted this permission while carrying out their professional duties. Ministers of the gospel may be granted this permission by the local board of health.

E. Quarantined adults, not ill with the disease may go into the yard surrounding the house for the purpose of hanging out properly disinfected clothes, getting coal, and carrying out ashes, provided there is no other person in the

yard at the time.

F. Members of the family and persons intimately exposed before the establishment of quarantine may be immunized, disinfected, and released to live outside the quarantine only when so provided in these rules and regulations for the particular disease.

G. Cats, dogs, or any other domestic animals must not be allowed in a

quarantined area.

H. Adults, not ill with the disease, may be released before expiration of the quarantine period only when such release is approved by the local board of health and allowed by these rules and regulations for the particular disease.

I. Quarantine shall not be terminated until all concurrent and terminal disinfection provided in these rules and regulations shall have been carried out to the satisfaction of the local board of health, and in full compliance with these

rules and regulations.

J. No persons recovering from a quarantinable disease, and no school children or other persons not known to be immune, who remain in quarantine with a case, may return to school or have similar contact with groups of children until one week after the quarantine terminates. Immune persons as described in Section XII, who are released to live elsewhere and have been instructed and disinfected may then return to school, while those who remain in quarantine with the case may return to school as soon as quarantine is terminated and they have been instructed and disinfected.

K. Moving a person in quarantine: This is forbidden except as defined and

described in these rules and regulations. (See section VI B.)

L. Quarantine on a dairy farm: As long as there is a case of typhoid, paratyphoid, cholera, dysentery (amoebic or bacillary), septic sore throat or any quarantinable disease on a dairy farm, no dairy products of any kind may be sold except with the approval of the State department of health and on a

written order of the local board of health.

M. Termination of quarantine: When a person with any communicable disease reaches that stage where he is no longer giving off infectious material, the attending physician should notify the local board of health, and as soon thereafter as the minimum number of days specified for the particular disease have elapsed, and all other rules and regulations of the State department of health and of the local board of health have been complied with, the health officer shall direct that terminal disinfection be performed.

N. When terminal disinfection of quarantined premises has been completed to the satisfaction of the local board of health after the recovery, the death, or the removal to hospital or elsewhere of a case of communicable disease, the

local board of health shall release such premises from quarantine.

Sec. VII. Exclusion from groups of people.—Persons designated to be excluded from school by these rules and regulations shall not enter any street car, railway train, or public conveyance of any kind, attend any public or private school, any theater, church, picnic or public gathering of any kind or description for the period specifically designated for each disease.

SEC. VIII. Disinfection.-A. Definitions and explanations.

Disinfection defined: By disinfection is meant "the destroying of the vitality of pathogenic microorganisms by chemical or physical means," and for the purpose of these rules and regulations the term shall mean the exercise of such specific measures for each disease, and each infectious discharge and each soiled article as will render it innocuous and harmless.

(a) Quarantine shall not be terminated until all the directions for concurrent and terminal disinfection shall have been carried out in compliance with these rules and regulations and to the satisfaction of the local board of health.

(b) Concurrent disinfection shall mean the immediate disinfection of the infectious discharges from the body of an infected person or after the soiling of articles with such infectious discharges, all personal contacts with such discharges or articles being prevented prior to their disinfection.

Concurrent disinfection shall be carried on at all times during the quarantine

period and as long thereafter as required by the local board of health.

B. Methods of disinfection.

(a) How to disinfect during quarantine: Discharges from infected eyes, ears, nose, throat, skin lesions, and glands may be disinfected by being collected on bits of cotton, paper, or cloth and burned at once.

(1) The hair and skin of the patient or attendants may be disinfected by

washing with soap and warm water.

(2) Bed clothes, pillow slips, sheets, nightgowns, towels, washcloths, or any other cloth or clothing of any kind may be disinfected by being boiled with soap and water for 15 minutes before leaving the premises or the quarantined area, if the case is quarantinable.

A wash boiler or tub should be kept in the sick room one-third full of cold water. All cloth or clothing used by the patient should immediately be placed

in this cold water.

Once a day this tub should be taken to the stove and allowed to boil for 15 minutes. Clothes so treated may be hung out to dry.

Prompt moistening and boiling is much better than immersion in any

disinfectant.

(3) Dishes, glassware, knives, forks, spoons, or any utensils used in feeding the patient should be promptly disinfected by being washed and boiled.

Dishes used by the patient should not be used by other members of the family

but should be set aside for the use of the patient only.

(4) Food from the sick room should never be eaten but should be collected and boiled or burned at once.

(5) Thermometers, rectal tubes, douche nozzles, etc., should not be removed from the sick room until the termination of the case. They should be washed clean with soap and water after each use and should be kept immersed in alcohol when not in use.

(6) Water that has been used to bathe the patient should be either disinfected by a disinfectant approved by the local board of health or boiled 10 minutes before being disposed of unless it is immediately put into a sewer

system.

(7) Bowel discharges: Disinfection of the bowel discharges shall be carried out by adding three tablespoonfuls of freshly opened chloride of lime to a liquid stool and stirring the mixture until all parts of the stool have been thoroughly mixed with the chlorine. This mixture should be allowed to stand, protected from flies for 30 minutes before being discharged into a sewer or privy vault. The supply of chloride of lime should be kept in an air-tight container in a dry

Solid stool should have one pint of water added and be thoroughly stirred until the stool assumes a liquid character and all lumps broken and then treated

as described above.

(8) Bladder discharges: Disinfection of bladder discharges shall be carried out by stirring three tablespoonfuls of freshly opened chloride of lime or other disinfectant, approved by the local board of health, into each passage and allowing this mixture to stand 30 minutes before being discharged into a sewer or privy vault.

(9) Bedpans and urinals must be thoroughly cleaned after each time used and rinsed out and left containing a small amount of dry chloride of lime. Sufficient chloride of lime should be left in the receptacles so that the chlorine will be repugnant for flies. These receptacles should also be kept away from

flies.

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(b) How to disinfect after quarantine: Terminal disinfection shall mean the exercise of those processes which will render the person, the personal clothing, and the immediate physical environment of the patient free from possibility of conveying infectious agents, at a time when the patient is no longer giving off infectious material.

(1) Terminal disinfection of all clothes, bedclothes, thermometers, rectal tubes, dishes, glassware, etc., which have been exposed to the patient while he is giving off infectious material shall be carried out as described for concurrent

(2) Terminal disinfection of the person, rooms, or dwelling shall be carried out by the use of chemicals, soap and water, fresh air, and sunlight as is found necessary for the individual case.

(3) Bedsteads, chairs, tables, floors, doors, woodwork, windows, etc., shall be

thoroughly washed with soap and hot water.

(4) All bedclothes, pillow slips, sheets, nightgowns, towels, and any other cloth or clothing of any kind that has been in contact with the patient shall be disinfected as provided in Section VIII B.

(5) Milk bottles, milk pails, or food containers of any sort must never be allowed to leave the quarters until the termination of the case or of the quarantine. If milk bottles, milk pails, and food containers are brought into the premises or the quarantined areas, they must be allowed to collect during the whole period of illness or of quarantine and be thoroughly sterilized by being completely immersed in boiling water for 15 minutes, or other method approved by the local board of health, after the case terminates or the quarantine has

It is recommended that a pitcher or other suitable container be placed outside the door of the premises of the case or of the quarantine and that the milkman pour his milk into it and carry his bottle away immediately. Having touched nothing and exchanged nothing, there will be no contamination and the uncertainty of sterilizing accumulated bottles at the termination of the case or of

the quarantine will be entirely avoided.

(6) If a case of communicable disease has to be nursed at home, all unnecessary furniture, drapings, curtains, rugs, etc., should be removed from the room where the case is to be treated or quarantined, especially all furnishings that can not be readily cleaned and disinfected as described in these rules and

(7) As far as possible only such books, papers, magazines, and toys should be given the patient as are of little value, and can be destroyed by burning when the case is released. Valuable articles or books that the patient may have handled before he was known to have a communicable disease should be taken in charge by the local board of health to be disinfected immediately, if of such a nature that a disinfectant may be used without injury to them; otherwise, they are to be exposed as completely as possible to air and sunlight in a place where inadvertent contact with them would be impossible, for such length of time as will satisfy the local board of health that they can no longer be the means of conveying disease.

Fumigation is usually not required, and is made use of only in exceptional "By fumigation is meant a process by which the destruction of insects, as mosquitoes and body lice, and animals, as rats, is accomplished by the

employment of gaseous agents.

Sec. IX. Carriers.—A carrier is a person who without symptoms of a communicable disease harbors and disseminates the specific microorganisms.

Carriers may be those who have convalenced from the disease (convalencent) or those developing the disease (incubatory). They may also be direct or remote contact carriers, according to whether they have been directly in contact with a case or not.

Sec. X. Immunity.—Immunity is the power which certain living organisms possess of resisting disease. It may be natural or acquired. The acquired may be obtained by having an attack of the particular disease or by artificial means

of immunization, such as vaccination or inoculation.

For the purpose of these rules and regulations persons may be regarded as immune to a disease under the conditions specified for each individual disease as set forth in the detailed information for each disease in the subsequent portion of this book of rules and regulations.

SEC. XI. Isolation .- In reference to the case, isolation "shall mean the removal of a person from his own residence or temporary place of abode and detention in some place, from which the public is excluded for the purpose of

safeguarding the public from a communicable disease." (Code 1924, ch. 108, sec. 2247.)

For the purpose of these rules and regulations:

A. In reference to contacts, isolation shall be taken to mean the removal to another dwelling where there are no cases of the disease against which precautions are being taken.

B. In reference to those persons known to be "carriers" of a disease and who are not quarantined, isolation shall be taken to mean the restriction of the movements of those persons to their place of residence and prohibition of their coming in any way in contact with the public.

C. In reference to those diseases classed as placardable but not quarantinable and where there is no removal of persons to another dwelling, isolation shall be taken to mean the restriction of the movements of persons to their place of residence and prohibition of their coming in any way in contact with the public.

D. In reference to the members of a household, isolation shall be taken to mean the separation of the individual and those waiting on him, from other members of the household, in such a way that all direct contact is impossible.

SEC. XII. Susceptible person.—A susceptible person is one "who is not known to have become immune to the particular communicable disease in question by natural or artificial process."

Sec. XIII. Contact.—A contact is any person known to have been sufficiently near to an infected human being or animal to have been presumably exposed to the possibility of transfer of infectious material either directly or by articles freshly soiled with such material.

SEC. XIV. Disinfecting.—By disinfecting is meant any process, such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, etc., by which insects and animals known to be capable of conveying or transmitting infection may be destroyed.

Sec. XV. Delousing.—By delousing is meant the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of Pediculus corporis or Pediculus capitis survive.

Sec. XVI. Renovation.—By renovation is meant, in addition to cleansing, such treatment of the walls, floors, and ceilings of rooms or houses as may be necessary to place the premises in a satisfactory sanitary condition.

SEC. XVII. Education in personal cleanliness.—This phrase is intended to include all the various means available to impress upon all members of the community, young and old, and especially when communicable disease is prevalent or during epidenics, by spoken and printed word, and by illustration and suggestion, the necessity of:

(1) Keeping the body clean by sufficiently frequent soap and water baths.

(2) Washing hands in soap and water after voiding bowels and bladder and always before eating.

(3) Keeping hands and unclean articles or articles which have been used for toilet purposes by others, away from mouth, nose, eyes, ears, and vagina.

(4) Avoiding the use of common or unclean eating, drinking, or toilet articles of any kind, such as towels, handkerchiefs, hair brushes, drinking cups, pipes, etc.

(5) Avoiding close exposure of persons to spray from the nose and mouth, as in coughing, sneezing, laughing, or talking.

COMMUNICABLE AND OTHER REPORTABLE DISEASES AND RULES CONCERNING EACH

Following is an alphabetical list of reportable diseases, together with the rules and regulations governing the reporting, investigation, placarding, exclusion from school and public gatherings, quarantine, and disinfection for each individual disease; also the rules and regulations governing the handling of persons exposed and carriers, with a few general suggestions as to measures to be adopted to prevent the spread of these diseases and the development of sequelae from them,

ACTINOMYCOSIS (LUMPY JAW)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV, cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from the lesions must be gathered on bits of cotton, paper, or cloth and burned at once. All articles soiled with these discharges must be disinfected as provided in Section VIII.

7. Must perform terminal disinfection? Yes; of the person, rooms, and clothing as provided in Section VIII.

What to do with persons exposed .- 1. Children: Children need not be excluded

from school.

2. Adults: Give full instructions as to means of spread of this disease, pointing out that nasal and bowel discharges and infected material, even uncooked meat from animal cases, may spread infection.

ACUTE INFECTIOUS CONJUNCTIVITIS

Ophthalmia neonatorum, including pink eye but excluding trachoma.

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges to be gathered on bits of cotton or gauze and burned immediately. All articles soiled with these discharges must be disinfected as provided in Section VIII.

7. Must perform terminal disinfection? No. Cleansing is recommended. What to do with persons exposed.—1. Children need not be excluded from

school, unless themselves suspected of infection.

2. The seriousness of this disease must be impressed upon everyone coming in contact with the patient. Where 24 hours' nursing service is not available cases should be removed to hospitals where adequate nursing service can be given. The strictest precautions must be observed regarding all infectious discharges and everything that might be soiled with these discharges. All visible discharge must be collected on bits of cotton, paper, or cloth and burned at once. All bed clothing, pillow slips, sheets, towels, and instruments used in taking care of the case must be washed and boiled before being used by other persons.

General measures.—1. Silver nitrate 1 per cent solution or argyrol 10 per cent solution has been approved by the State department of health for the prevention of this disease. Except in special cases it is required by law that one of these prophylactics be used in the eyes of each child born in this State. Silver nitrate for this purpose will be supplied free by the State department of

health to obstetricians and maternity hospitals.

ANKYLOSTOMIASIS (HOOK WORM)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from the bowels as provided in Section VIII.

7. Must be terminal disinfection? No.

What to do with persons exposed.—1. Children: Children need not be excluded from school.

2. Adults: The attending physician will give full instructions regarding the seriousness and mode of spread of this disease.

General measures.—Eradication of this disease can be obtained by education in personal cleanliness and by installation of proper privies or other sanitary disposal systems.

ANTHRAX

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

 Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from the lesions should be collected on bits of cotton or paper and burned at once. All articles soiled with these discharges must be disinfected as provided in Section VIII.

7. Must perform terminal disinfection? Yes; as provided in Section VIII. What to do with persons exposed.—1. Children: Children need not be extended from what the control of the control

cluded from school.

2. Adults: Give full instructions regarding the seriousness of disease and mode of spread through contact with hides, hair, flesh, and feces of infected animals or by inhalation of spores of causative agent.

General measures.—1. Animals dead from Anthrax harbor virulent organisms of the disease and all such animals must be burned at once with a minimum amount of handling.

2. Tanners and wool sorters should wear gloves when handling hides or

sorting wool.

3. All shaving brushes before first use should be subjected to a high temperature for sufficient time to destroy all possible anthrax spores in the bristles.

CEREBROSPINAL FEVER (EPIDEMIC MENINGITIS) (MENINGOCOCCUS MENINGITIS)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; as provided in Section V.

4. Must be excluded from school? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII.
7. Must perform terminal disinfection? Yes; as provided in Section VIII.

Termination of quarantine.—Quarantine shall not be terminated until:
(a) A minimum of 14 days from the onset of the disease, and preferably until two nasopharyngeal cultures taken after recovery, 24 hours apart, do not reveal the diplococcus intracellularis meningitidis, and

(b) Until the attending physician reports complete clinical recovery, and

(c) Until all measures authorized as terminal disinfection by the State department of health are carried out to the satisfaction of the local board of health.

(d) Any case of meningitis may be released after 28 days in quarantine on approval of the local board of health.

(e) If the case terminates with the death of the patient, sections (a) and (b) do not apply.

Release of persons before the termination of quarantine.—(1) The case: The person around whom a quarantine is established shall be released only as specified above except when specifically approved by the State department of health.

(2) Mature adults not belonging to the young adult, children of school age or less than school age groups, and not ill with the disease, may be instructed, disinfected and released to live elsewhere, provided they have no evidence of infection but preferably if two nasopharyngeal cultures be taken 24 hours apart and be found negative to the diplococcus intracellularis meningitidis and if such release is approved by the local board of health.

(3) All young adults, school pupils, and children under school age whether they have had cerebrospinal meningitis or not, may be released before the termination of quarantine only to be isolated in another dwelling where there is

no case of meningitis and where there are no young adults, children of school age or less than school age, provided they have no evidence of infection but preferably if two nasopharyngeal cultures, taken 24 hours apart, do not reveal the diplococcus intracellularis meningitidis. Young adults, school pupils, and children under school age thus isolated may be released after one week in this second isolation, provided they have no manifestations of the disease and pupils may then return to school.

(4) School children who have not previously had the disease and who have remained in quarantine with the case must not attend school for one week

after the termination of quarantine.

(5) Carriers should be quarantined until the nasal and pharyngeal secretions are proved by bacteriological examination to be free from the infecting organism.

General measures.—1. Search for carriers among families and associates of recognized cases by bacteriological examination of posterior nares of all contacts.

2. Education as to personal cleanliness and necessity of avoiding contact and

droplet infection.

3. Prevention of overcrowding such as is common in living quarters, transportation conveyances, working places, and places of public assembly in the civilian population, and in inadequately ventilated closed quarters in barracks,

camps, and ships among military units.

Epidemic measures.—1. Increase the separation of individuals and the ventilation in living and sleeping quarters for such groups of people as are especially exposed to infection because of their occupation or some necessity of living conditions. Bodily fatigue and strain should be minimized for those especially exposed to infection.

2. Carriers should be quarantined until the nasal and pharyngeal secretions are proved by bacteriological examination to be free from the infecting

organism.

CHANCROID

What to do with the case.—1. Must be reported? Yes; as required in section 2281, code 1924. Physicians are required to give only the office number of the patient, not his name.

2. Must be placarded? Yes; if endangering the health of others, as required

by section 2287, code 1924.

3. Investigation of reports to be made by local board of health? Yes; as required by section 2285, code 1924, but only if patient fails to take or continue treatment while in an infectious stage.

4. Must be excluded from school? Yes; if in infectious stage.

5. Must be quarantined? Yes; as required by section 2288, code 1924, unless under the treatment of a competent physician and following advice regarding exposure of others.

6. Must practice concurrent disinfection? Yes; as provided in section VIII.

All discharges to be collected on bids of cotton or gauze and burned imme-

diately.

7. Must perform terminal disinfection? No; thorough cleansing is recom-

mended.

General measures.—Physicians and health officers should give instruction and do everything in their power to disseminate information regarding the gravity and seriousness of this infection.

CHICKEN POX (VARICELLA)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; warning card 14 days minimum period and until complete return of continuity of the skin as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII. Minimum period 14 days from onset of disease.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from lesions, bed clothing, and dishes of patient as provided in Section VIII.

7. Must practice terminal disinfection? No; thorough cleansing and airing recommended.

What to do with persons exposed.—1. Children: (a) Children who are immune by having had the disease should not be excluded from school. (b) Children who have not had the disease must be excluded from school for the same period as the patient.

2. Adults: No restrictions for exposures.

General measures.—Great care should be exercised in diagnosis, as cases thought to be chicken pox in persons over 15 years of age, or at any age during an epidemic of smallpox, are to be investigated to make certain that they are not cases of smallpox.

CHOLERA

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; as provided in Section IV.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI.

6. Must practice concurrent disinfection? Yes; discharges from bowels, vomited matter, and articles soiled thereby, and the hands should be disinfected, as described in Section VIII.

7. Must perform terminal disinfection? Yes; bodies of those dying should be cremated or cared for as provided in Section VIII.

What to do with persons exposed.—The attending physician shall give full instructions regarding the seriousness of the disease and mode of spread.

The State department of health should be notified at once if a case is discovered or suspected.

DENGUE

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as re-

quired in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? No.

7. Must perform terminal disinfection? No.

What to do with persons exposed.—Children need not be excluded from school or public gatherings.

General measures.—Screen rooms. Destroy mosquitoes.

DIPHTHERIA

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes, as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes, as provided in Section VI.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII.
7. Must perform terminal disinfection? Yes; as provided in Section VIII.

Termination of quarantine shall not be made until:

(a) A minimum of 14 days from the establishment of the quarantine or at the discretion of the local board of health, 14 days from the date of the onset of the disease, if this date was reported at the time of the original report of the case, and

(b) Until two successive cultures taken not less than 24 hours apart from the nose and throat fail to show the presence of diphtheria bacilli, and

(c) Until the attending physician reports complete clinical recovery, and

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(d) Until all measures authorized as terminal disinfection by the State department of health are carried out to the satisfaction of the local board of health.

(e) In case where two consecutive negative cultures are not obtained the diphtheria quarantine may be terminated by action of the local board of health on the 28th day of quarantine and the patient isolated as a diphtheria carrier.

(f) If the case terminates with the death of the patient, sections (a), (b),

and (c) do not apply.

Release of persons before termination of quarantine.—1. The case: The person around whom a quarantine is established shall be released only as specified above except when specifically approved by the State department of health.

2. Adults not ill with the disease may be instructed, disinfected, and released to live elsewhere after they have had two negative cultures, if such release is

approved by the local board of health.

3. School children known to be immune: Children of school age or less than school age who are immune as herewith defined may be released on the same basis as adults.

Immunity may be produced:

(a) By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local board of health at the time of the illness. (Those who have to do with diphtheria should remember that having had the disease frequently fails to produce mmunity.)

(b) By inoculation with diptheria antitoxin of at least 1,000 units, not

more than three weeks having elapsed since the inoculation.

(c) By inoculation with diphtheria toxin-antitoxin of three 1-cubic centimeter doses, given approximately one week apart, the doses having been given at least one month previous or by inoculation with a toxoid or other preparation approved

by the State department of health.

(It is not definitely known how long immunization with toxin-antitoxin remains effective, possibly anywhere from five years to a lifetime, in most persons for a very long time. It is not to be expected that immunity will be fully developed in all persons one month after inoculation, many people require three to six months to become completely protected.)

(d) By having had the Schick skin test done by a physician and having been

found negative to diphtheria.

4. School children not known to be immune: Children of school age or less than school age who are susceptible as defined in Section XII may be released before the termination of a diptheria quarantine only to be isolated in another dwelling where there is no case of diphtheria and where there are no other children of school age or less than school age. School children so isolated may be released from this isolation after one week provided a culture from the nose and throat fail to show the presenece of diphtheria bacilli, and they have no clinical manifestations of the disease, and they may then return to school.

It is recommended that all susceptible children be immunized by the use of

toxin-antitoxin.

What to do with the contacts.—1. Contacts in the home: May be released as provided in the preceeding section. Those who remain in quarantine with the patient should receive Shick test, frequent throat inspection, and if not under close medical observation, prophylactic inoculation with antitoxin, and such other

measures as recommended by the attending physician.

2. Contacts at school: When it is found that a case of diphtheria has attended school, it is advised that children and employees of the room or small school should have throat cultures made immediately. School boards can require this in order to protect the health of the children whom they require to attend their

Local boards of health can require this when the school situation is such that

it threatens the health of the general public.

As a result of such general culture examination of a school, all children and employees who were found free from diphtheria bacilli should continue school as usual, unless they are living in the home of a diphtheria case or carrier. All others should be excluded from school until one culture of the nose and throat fails to reveal diphtheria bacilli. During this period of exclusion, they must

be handled as diphtheria carriers.

3. Contacts in public: All exposed persons not specifically named in the above regulations at the discretion of the local health officer, depending on

age, occupation, degree of exposure, etc., may be instructed and released; or may be isolated and kept under observation until they themselves and the public shall be safe from the disease; or they may be quarantined until released in

accordance with these rules and regulations.

Persons knowing that they have been in contact with a case of diphtheria in public should call their family physician immediately on the first indication of any (1) rise of temperature, (2) sore throat, (3) or indisposition of any sort. Every case of diphtheria is likely to develop within seven days after the essential contact with an infectious person or thing.

Toxin-antitoxin is recommended for the establishment of active immunity

against diphtheria.

What to do with the carriers.—When diphtheria bacilli are found in the noses and throats of persons who have none of the clinical manifestations of the disease, they shall be deemed diphtheria carriers. No convalescent case shall be deemed a diphtheria carrier earlier than 28 days after the case is reported to the local board of health.

(a) Restrictions on carrier: 1. Diphtheria carriers must be isolated in their

own homes and not come in contact in any way with the public.

Diphtheria carriers must not attend any public or private school, church, picnic, or public gathering of any kind.

3. Diphtheria carriers must not handle food or dairy products offered for

sale.

4. Diphtheria carriers must live in a residence having a placard "Diphtheria carrier."

5. Diphtheria carriers may be released and readmitted to school on one negative culture except carriers convalescent from the disease. They require two negative cultures,

6. Diphtheria carriers should be quarantined only if they violate the instruc-

tions to isolate themselves from the public.

7. When carriers who are convalescing from diphtheria continue to give positive cultures longer than five weeks from the onset of the disease, a virulence test may be made to determine the virulence or nonvirulence of the organism. If the organism is avirulent the case may be released, at once; if virulent or if no virulence test is practicable the local board of health may allow a restricted release wherein the carrier agrees to comply with the restrictions imposed and named in subsections 2 and 3 of this section, and in addition, to report at least weekly to his physician for cultures and treatment to end the carrier state.

8. When carriers are discovered through general culturing of individuals or groups of persons, if at the end of one week of local treatment by the physician the individual is positive, a virulence test may be made. If the test is negative the person may be released at once, whereas if positive if no virulence test is practicable the individual may be released on the same conditions as outlined

above for convalescent carriers.

(b) Restrictions on other persons living in the home with a diphtheria carrier: 1. Adults: Must have throat cultures taken. May come and go from the

house as usual.

2. Children: School children living in contact with a carrier shall be excluded from school as long as the carrier. If these children go to another home to live, or have no contact with the case in their own home, they may be readmitted to school as soon as they have had one negative culture if this is approved by the local board of health.

(c) Advice to diphtheria carriers: 1. Sprays, gargles, swabbing, and similar forms of treatment have in many cases assisted in bringing to a termination

the carrier state.

2. Diphtheria carriers should exercise in the open air and sunshine but in doing so must have no contact with persons not belonging to the home group with whom they are regularly associated.

3. Resistant carrier cases are often overcome by enucleation of adenoids or

tonsils, when infected and enlarged.

General measures.-1. Pasteurization of milk supply.

2. Application of the Schick test to all especially exposed persons, such as nurses and physicians, and active immunization of all susceptibles, but not within three weeks after the administration of antitoxin.

3. Active immunization of all children by the end of the first year without prior Schick testing; active immunization of school children with or without

prior use of the Schick test.

4. Determination of presence or absence of carriers among contacts and, so far as practicable, in the community at large.

DYSENTERY (AMOEBIC AND BACILLARY)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Sestion I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be guarantined? No.

6. Must practice concurrent disinfection? Yes; disinfect the bowel discharges as provided in Section VIII.

7. Must perform terminal disinfection? No; but cleaning advised.

What to do with persons exposed.-Attending physician should give full instructions regarding seriousness and mode of spread of this disease.

Vaccines may give immunity against the bacillary type.

General measures.—1. Boil drinking water and protect food and water from contamination.

2. Dairy products must not be removed from the premises where a case of dysentery (amoebic or bacillary) occurs except as provided in Section VIII.

Education in personal cleanliness, special care with bowel discharges.

ENCEPHALITIS LETHARGICA, EPIDEMIC (SLEEPING SICKNESS)

What to do with the case.—1. Must be reported? Yes; as provided by Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as

required in Section I.

3. Must be placarded? Yes; as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; all discharges from the nose and throat and all soiled articles should be disinfected immediately.

7. Must practice terminal disinfection? No; but cleaning recommended. What to do with persons exposed.—Adults and children need not be prohibited from contact with the public, but they are advised to restrict such contact as much as possible.

General measures .- Try to avoid influenza, which frequently precedes this

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Medical care and careful nursing of the case are indispensable.

Carriers may exist when disease is prevalent.

ERYSIPELAS

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII.
7. Must perform terminal disinfection? No. Cleansing and airing recom-

mended.

What to do with persons exposed.—The physician in attendance will give full instructions regarding the means of spread.

FAVUS

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII, unless the patient is receiving such medical treatment as will prevent infection of others.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. Disinfect toilet articles of patient. Collect discharges from lesions on bits of cotton, paper, or cloth and burn immediately.

7. Must perform terminal disinfection? No.

What to do with persons exposed.—Children need not be excluded from school and public gatherings.

General measures.—Discontinuance of the use in common of hair brushes, combs, hair nets, etc.

GERMAN MEASLES (ROTHELN)

What to do with the case .- 1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; a warning card for 14 days and until recovery as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII. Minimum period, 14 days.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; disinfect discharges from nose and throat, bed clothing and dishes of patient as provided in Section VIII. 7. Must perform terminal disinfection? No; thorough cleansing and airing

recommended. What to do with persons exposed.—1. Children: (a) Children who are im-

mune by having had the disease, should not be excluded from school. (b) Children who are susceptible as defined in Section XII should be ex-

cluded from school for the same period as the patient. 2. Adults: No restrictions for exposures.

General measures.—This disease in the early stages may be confused with scarlet fever.

Guard against complications such as pneumonia.

GLANDERS

What to do with the case .- 1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; disinfect discharges from nose and mouth, dishes, hands, and bed clothing, as provided in Section VIII.

7. Must perform terminal disinfection? Yes; air, sunshine and cleansing

as provided in Section VIII.

What to do with persons exposed.—Children need not be excluded from school or public gatherings. Physician in charge must give full instructions regarding danger and mode of spread of the disease, also disposal of discharges and soiled articles.

General measures.-Horses may be a source of infection and infected or suspected horses should be quarantined; skin contact with the lesions in the living or dead body (animal or man) is to be scrupulously avoided.

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GONORRHEA

What to do with the case .- 1. Must be reported? Yes; as required by section 2281, code, 1924. Physicians are required to give only the office number of the patient, not his name.

2. Must be placarded? Yes; if endangering the health of others, as required by section 2287, code 1924.

3. Investigation of reports to be made by local board of health? Yes; as required by section 2285, code 1924, but only if patient fails to take or to continue treatment while in an infective stage.

4. Must be excluded from school? Yes.

5. Must be quarantined? Yes; as required by section 2288, code 1924, unless under the treatment of a competent physicial and following advice regarding the exposure of others.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. All discharges are to be collected on bits of cotton, paper, or cloth and burned immediately, and all articles soiled with the discharges must be disinfected.

7. Must perform terminal disinfection? No. Thorough cleansing is recom-

mended.

What to do with persons exposed .- 1. Children are not excluded from school

unless themselves infected or suspected of infection.

2. Adults: The health officer and physician should give instruction and do everything in their power to disseminate information regarding the gravity and seriousness of this infection.

General measures.—1. The use of 1 per cent silver nitrate solution in the eyes

of the new-born is required by law, except under certain circumstances.

2. Education in matters of sexual hygiene, particularly as to the facts that continence in both sexes at all ages is compatible with health and normal development.

3. Repression of prostitution by use of police power and control of use of

living premises.

4. Restriction of sale of alcoholic beverages.

5. Restrictions of advertising of services or medicines for the treatment of sex diseases, etc.

6. Elimination of common towels and toilet articles from public places.

7. Exclusion of persons in the communicable stage of the disease from participation in the preparing and serving of food.

8. Personal prophylaxis should be advised to those who expose themselves to opportunity for infection.

IMPETIGO CONTAGIOSA

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and public gatherings? Yes; as provided in Section VII, unless under adequate treatment.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; all discharges from the sores should be collected on cotton or gauze and burned. All articles soiled with these discharges should be disinfected as described in Section VIII.

What to do with persons exposed.—Children need not be excluded from

school unless themselves infected.

No restriction on adults.

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General measures.—The infected person should avoid auto-inoculation by scratching, and should have separate towels and toilet articles. Education in personal cleanliness is essential.

INFLUENZA, EPIDEMIC

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Only if so decided by the local board of health.

4. Must be excluded from school and public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; all discharges from nose and throat should be collected on cotton or gauze and burned. All articles soiled with these discharges must be disinfected as described in Section VIII.

7. Must perform terminal disinfection? No; but cleaning and airing are

recommended.

What to do with persons exposed.—1. Children: Children need not be excluded from school unless themselves infected.

2. Adults: No restrictions, but if in immediate contact with a case should

avoid contact with other persons.

Special care should be taken to avoid contact with possible cases and special care to sterilize all eating utensils.

LEPROSY

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as

required in Section I.

3. Must be placarded? Yes, as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI.

6. Must practice concurrent disinfection? Yes, Disinfect discharges and articles soiled with discharges as provided in Section VIII.

7. Must perform terminal disinfection? Yes; a thorough cleansing of premises of the patient is necessary.

Cases of leprosy should be sent to the national leprosarium.

What to do with persons exposed.—Children are not excluded from school and public gatherings.

MALARIA

What to do with the case,—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? No.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? No. Exclude and destroy the Anopheles mosquitoes.

7. Must perform terminal disinfection? No.

What to do with persons exposed.—Children need not be excluded from school and public gatherings.

General measures.—1. The administration of prophylactic doses of quinine should be insisted upon for those in contact with the disease.

Mosquitoes should be excluded and destroyed. Screens
 Breeding grounds for mosquitoes should be eradicated.

MALTA FEVER (GOAT FEVER, UNDULANT FEVER)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section 1.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? No.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes. Disinfect discharges and urine and all articles soiled thereby.

7. Must practice terminal disinfection? No; but cleaning recommended.

What to do with persons exposed .- No restrictions necessary.

General measures.-No restrictions necessary.

1. Sterilization of goat's milk and pasteurization of cow's milk.

2. Destruction of infected goats and other animals.

3. Immunization of goats.

4. Vaccination of humans who may be exposed.

Malta fever is caused by an organism of the same type as causes contagious abortion in cattle. Occasionally humans are infected with this latter by infected pigs and cows.

MEASLES (MORBILLI)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as

required in Section I.

3. Must be placarded? Yes; warning card 14 days and until recovery as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as pro-

vided in Section VII. Minimum period, 14 days.

5. Must be quarantined? No.

Must practice concurrent disinfection? Yes; discharges from nose, throat, and bed clothing, and dishes, as provided in Section VIII.

7. Must perform terminal disinfection? No; thorough cleansing and airing;

recommended.

What to do with persons exposed.—1. Children: (a) Children who are immune by having had measles should not be excluded from school.

(b) Children who are susceptible as defined in Section XII, must be excluded from school for the same length of time as the patient.

2. Adults: No restrictions for exposures except for susceptible teachers or others who have to do with large groups of young children.

General measures.—1. Guard carefully against pneumonia and tuberculosis.

2. Daily examinations of exposed children and of other possibly exposed persons. This examination should include record of the body temperature. A nonimmune exposed individual exhibiting a rise of temperature of 0.5° C. or more should be promptly isolated pending diagnosis.

3. Schools should not be closed or classes discontinued where daily observa-

tion of the children by a physician or nurse is provided for.

4. Education as to special danger of exposing young children to those ex-

hibiting acute catarrhal symptoms of any kind.

5. In institutional outbreaks immunization with convalescent serum of all minor inmates who have not had measles is of value in checking the spread of infection and in reducing mortality.

MENINGITIS (EPIDEMIC, MENINGOCOCCUS)

(See cerebrospinal fever.)

MUMPS (PAROTITIS)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as

required in Section I.

3. Must be placarded? Yes; a warning card for minimum period of 14 days and until glandular enlargement and tenderness have disappeared, as provided in Section V.

Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. All discharges from the nose and mouth. Also bed clothing and dishes used by patient must be disinfected.

7. Must perform terminal disinfection? No; thorough cleansing and airing

recommended.

What to do with persons exposed.—1. Children: (a) Children who are immune by having had mumps should not be excluded from school.

(b) Children who are susceptible as defined in Section XII, must be excluded from school for the same time as the patient.

Adults: No restrictions for exposures; inspection of susceptible persons recommended.

PARATYPHOID FEVER

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from the bowels

and bladder as provided in Section VIII.

7. Must perform terminal disinfection? No. Cleaning recommended. Special care in cleansing the hands should be exercised by all convalescents and persons who have had typhoid or paratyphoid fever.

Persons shall be regarded as immune:

- (a) By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local board of health at the time of the illness.
- (b) By the inoculation of 2,500,000,000 of dead paratyphoid bacilli (A and B) given in three divided doses one week apart, not more than two years having elapsed since the inoculation.

What to do with persons exposed,-1. Children: School children need not

be excluded from school.

2. Adults: The attending physician shall give full instructions regarding the seriousness of this disease, its mode of spread, and the value of typhoid and paratyphoid vaccine as a prophylactic. Flies should be excluded from the sick room.

General measures.—1. Protection and purification of public water supplies.

2. Pasteurization of public milk supplies.

3. Supervision of other food supplies and of food handlers.

4. Prevention of fly breeding.

5. Sanitary disposal of human excreta.

6. Extension of immunization by vaccination as far as practicable.

Supervision of paratyphoid carriers and their exclusion from the handling of foods.

8. Systematic examination of fecal specimens, from those who have been in contact with recognized cases, to detect carriers.

9. Exclusion of suspected milk supplies pending discovery of the personal

or other cause of contamination of the milk.

10. Exclusion of water supply, if contaminated, until adequately treated with hypochlorite or other efficient disinfectant, or unless all water used for toilet, cooking, and drinking purposes is boiled before use.

PELLAGRA

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? No.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; any secretions or discharges from the mouth should be disposed of in a sanitary way.

7. Must perform terminal disinfection? No.

What to do with persons exposed .- No restrictions on exposed persons.

General measures.—This disease is due to dietary deficiency.

It is a serious disease as it often results in insanity.

As a preventive an ample diet of fresh meat and milk is effective.

PLAGUE (BUBONIC, SEPTICEMIC, PNEUMONIC)

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What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. (a) Very important to disinfect the discharges from the lesions in the lungs or glands. These discharges must be collected on bits of cotton, paper, or cloth,

and burned at once. (b) All articles soiled with these discharges must be disinfected as discharged

as provided in Section VIII.

7. Must perform terminal disinfection? Yes; as provided in Section VIII.

General measures.—1. Active immunization of those who may be exposed.

2. Examination of rats and squirrels for cases among these animals. Rat

disinfesting and vermin extermination campaigns by use of known methods for their destruction; destruction of rats on ships arriving from infected ports; examination of rats, ground squirrels, etc., in areas where the infection persists, for evidence of endemic or epidemic prevalence of the disease among them.

3. Supervision of autopsies of all deaths during epidemics.

4. Supervision of the disposal of the dead during epidemics, whether by burial, transfer, or holding in vault, whatever the cause of death.

5. Cremation or burial in quicklime of those dying with this disease.

The Department of Agriculture has available bulletins on rat extermination. which may be obtained by applying to the department.

PNEUMONIA (BRONCHO OR CROUPOUS AND LOBAR)

What to do with the case.—1. Must be reported? Yes; as provided in Section Cases and suspected cases must be reported.

2. Investigation of reports by local board of health? Yes; as required in

Section I.

3. Must be placarded? No.

4. Must be excluded from school and public gatherings? Yes; as provided in Section VII.
5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; all discharges from nose and throat should be collected on cotton or gauze and burned. All articles soiled with these discharges must be disinfected as described in Section VIII.

What to do with persons exposed.-1. Children: Children need not be ex-

cluded from school.

2. Adults: Advise chest examinations in suspected cases.

General measures.-In institutions and camps, when practicable, people in large numbers should not be congregated closely within doors. The general resistance should be conserved by good feeding, fresh air, and other hygienic measures.

POLIOMYELITIS (ACUTE ANTERIOR) (INFANTILE PARALYSIS)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

Must be placarded? Yes; as provided in Section V.
 Must be excluded from school? Yes; as provided in Section VIII.
 Must be quarantined? Yes; as provided in Section VI.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII.7. Must perform terminal disinfection? Yes; as provided in Section VIII.

Termination of quarantine.—Quarantine for acute poliomyelitis shall not be terminated until:

(a) A minimum period of 21 days, and

(b) Until seven days of normal temperature, and

(c) Until the attending physician reports complete clinical recovery, and (d) Until all measures authorized as terminal disinfection by the State

department of health are carried out to the satisfaction of the local board of health.

(e) Any case of acute poliomyelitis may be released after 28 days in quarantine on approval of the local board of health.

(f) If the case terminates with the death of the patient, sections (a), (b), and (c) do not apply.

Release of persons before the termination of quarantine.—(1) The case: The person around whom a quarantine is established shall be released only as specified above except when specifically approved by the State department of health.

(2) Mature adults not belonging to the young adult, children of school age or less than school age group and not ill with the disease may be instructed, disinfected, and released to live elsewhere, if such release is approved by the

local board of health.

- (3) All young adults, children of school age and under school age whether they have had acute poliomyelitis or not may be released before the termination of quarantine only to be isolated in another dwelling where there is no case of acute poliomyelitis and where there are no young adults, children of school age or less than school age. Young adults, children of school age or less than school age thus isolated may be released after ten days in the second isolation provided they have no manifestations of the disease and pupils may then return to school.
- (4) All school children who have not previously had the disease and who have remained in quarantine with the case must not attend school for one week after the termination of quarantine.

General measures during epidemics:

Search for and examination of all sick children should be made.
 All children with fever should be isolated pending diagnosis.

3. Education in such technique of bedside nursing as will prevent the distribution of infectious discharges to others from cases isolated at home.

4. In rural communities it is often advisable to close schools and prevent contact among children during an epidemic.

RABIES (HYDROPHOBIA)

What to do with the case.—1. Must be reported? Yes; as provided in Sec. tion IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. Saliva of patient and articles soiled therewith should be disinfected.

7. Must perform terminal disinfection? No. Airing and cleasing recom-

What to do with persons exposed.—Should be given Pasteur treatment if it is thought they have been bitten by a rabid animal.

General measures .- 1. Impound or kill all stray dogs.

2. Muzzle all dogs in public places.

3. Detention for 10 days of all dogs suspected of being rabid.

4. Vaccination of dogs against rables may be helpful.

RHEUMATIC FEVER (ACUTE)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

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3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? No.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; all discharges from nose and throat should be disinfected.

7. Must practice terminal disinfection? No.

What to do with persons exposed.-No restrictions on exposed persons.

General measures.—All persons should remember that while acute rheumatism is not highly contagious it is nevertheless regarded by some as a communicable disease, and all precautions as to personal hygiene should be taken to prevent spread of the disease.

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Special care should be given to all cases of tonsilitis and to all repeated attacks of sore throat.

Prevention of or proper care of rheumatic cases may prevent subsequent heart disease.

ROCKY MOUNTAIN FEVER (SYNONYMS: SPOTTED FEVER, TICK FEVER)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local boards of health? Yes; as

required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

Must practice concurrent disinfection? No.
 Must perform terminal disinfection? No.

General measures.—1. Eradicate ticks by disinfesting and by burning grass and brushwood.

2. Tick-proof clothing should be worn.

3. Killing rodents such as ground squirrels, chipmunks, etc.

4. Sheep dipping.

5. Immunization by Spencer-Parker vaccine of persons to be exposed may be helpful.

SCARLET FEVER, SCARLATINA, SCARLET RASH

What to do with the contacts.—1, Contacts in the home: (a) Those who are IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes, as provided in Section VI.

- Must practice concurrent disinfection? Yes; as provided in Section VIII.
 Must perform terminal disinfection? Yes; as provided in Section VIII.
- Termination of quarantine.—Quarantine shall not be terminated until:
 (a) A minimum of 28 days from the establishment of the quarantine or at the discretion of the local board of hea'th, 28 days from the onset of the disease if this date was reported at the time of the original report of the case, and

(b) Until all discharges from suppurating glands and ears have ceased and

the throat is normal, and

- (c) Until the attending physician reports complete clinical recovery, and (d) Until all measures authorized as terminal disinfection by the State department of health are carried out to the satisfaction of the local board of health.
- (e) Any case of scarlet fever may be released after 6 weeks in quarantine on approval of the local board of health.

(f) If the case terminates with the death of the patient, section (a), (b),

and (c) do not apply.

Release of persons before the termination of quarantine.—(1) The case: The person around whom a quarantine is estab ished shall be released only as specified above except when specifically approved by the State department of health,

(2) Adults not ill with the disease may be instructed, disinfected and released to live elsewhere, if such release is approved by the local board of health. But no susceptible teacher shall return to school till one week after leaving

quarantine.

(3) Children known to be immune: (a) Children of school age or less than school age who have had scarlet fever at some previous time and have fully recovered and this fact has been made a matter of record with the local board of health at that time, may be released on the same basis as adults.

(b) Children of school age or less than school age who have been given the complete immunization treatment of scarlet fever streptococcus toxin recognized by standard public health practice and at least a full week has elapsed since the treatment was completed, may be released on the same basis as adults.

(c) Persons who have been given the Dick test and are certified as negative

by their physicians may be released on the same basis as adults.

(d) The State department of health is not ready to recommend widespread and indiscriminate use of scarlet fever streptococcus antitoxin for prophylactic purposes. When this has been administered after careful selection by the attending physician not more than three weeks before, the recipients may be released on the same basis as adults.

(4) Children not known to be immune: Children of school age or less than school age who are susceptible may be released before the termination of quarantine only to be isolated in another dwelling where there is no case of scarlet fever and where there are no children of school age or less than school age. School children thus isolated may be released after one week in this second isolation provided that they have no clinical manifestations of the disease and they may then return to school.

All nonimmune school children and teachers who have remained in quarantine with the case must not attend school for one week after the termination

of quarantine.

What to do with the contacts.—1. Contacts in the home: (a) Those who are eligible for release from quarantine under conditions of the previous paragraphs may be released by the local board of health.

(b) Those who remain in quarantine with the patient should be given the Dick skin test, have frequent throat inspections and such other care

as recommended by the attending physician.

2. Contacts at school: (a) When a pupil has attended school while in an infectious state of scarlet fever ,it must be presumed that all the pupils in the room or small school have had contact with the case.

(b) To safeguard the school, pupils and teachers remaining in attendance should be observed and have daily inspection for one week after the last

contact with a case of scarlet fever.

(c) All contacts in a school should be examined daily at the opening of school and all pupils and teachers excluded from school for the day who have any of the signs or symptoms that may be signs or symptoms of scarlet

(d) During the time that the above examinations are being carried on at school the parents should call their family physician on the first show of (1)

any rise of temperature, (2) sore throat, (3) indisposition of any kind.

3. Contacts in general: All exposed persons not specifically named in the above regulations at the discretion of the local health officer, depending on age, occupation, degree of exposure, etc., may be instructed and released in accordance with these rules and regulations; or may be isolated and kept under observation until they themselves and the public shall be safe from the disease; or may be quarantined until released in accordance with these rules

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When scarlet fever continues in a community or there is likelihood of an epidemic, a general preventive inoculation against it is strongly advised.

SEPTIC SORE THROAT (STREPTOCOCCUS HEMOLYTICUS)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Only if so decided by the local board of health.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII, until streptococcus, hemolyticus is no longer present.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from mouth and throat; also dishes, hands, and bed clothing, as provided in Section VIII.

7. Must perform terminal disinfection? No. Airing and cleaning recommended.

What to do with persons exposed .- 1. Children: Children need not be excluded from school unless themselves infected.

2. Adults: Give full instructions regarding danger and mode of spread point-

ing out the readiness by which this disease may be conveyed by milk.

General measures.—1. Exclusion of suspected milk supply from public sale or use, until pasteurized. The exclusion of the milk of an infected cow or cows in small herds is possible when based on bacteriological examination of the

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milk of each cow, and preferably the milk from each quarter of the udder at frequent intervals. Exclusion of human cases or carriers from handling milk of milk products.

Pasteurization of all milk.

3. Education in the principles of personal hygiene and avoidance of the use of common towel, drinking, and eating utensils.

SMALLPOX

What to do with the case.—1. Must be reported? Yes; as provided in Section

IV. Cases and suspected cases must be reported.2. Investigation of reports to be made by local board of health? Yes; as

required in Section I.

3. Must be placarded? Yes; as provided in Section IV.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI,

6. Must practice concurrent disinfection? Yes; as provided in Section VIII Must perform terminal disinfection? Yes; as provided in Section VIII.

Termination of quarantine.—1. Quarantine for smallpox shall not be terminated until: (a) A minimum period of 14 days from the establishment of the quarantine or at the discretion of the local board of health, 14 days from the date of onset of the disease if this date was reported at the time of the original report of the case; and (b) until there is complete return of the continuity of the skin around the lesions; and (c) until the attending physician reports complete clinical recovery; and (d) until all the measures authorized as terminal disinfection by the State department of health are carried out to the satisfaction of the local board of health; and (e) if the case terminates in death of the patient, sections (a), (b), and (c) do not apply.

Release of persons before termination of quarantine.—(1) The case: The person around whom a quarantine is established shall be released only as described above. Exceptions to this rule must be specifically approved by the

State department of health.

(2) Adults not ill with the disease may be instructed, disinfected, and released to live elsewhere, provided they have been successfully vaccinated within the past seven years and that evidence of the same is deemed sufficient

by the local board of health.

(3) School children known to be immune: Children of school age or less than school age who have been successfully vaccinated within the past seven years and evidence of the same is deemed sufficient by the local board of health, may be instructed, disinfected, and released to live elsewhere, and may then return to school.

(4) Children and adults not known to be immune may be released from a quarantine for smallpox if vaccinated within 24 hours of exposure as soon as a successful "take" or an "immune" reaction is evident to the vaccinating officer or local board of health, and provided they have been instructed, disinfected, and released to live elsewhere. Pupils and teachers may then return to school, otherwise all these persons must remain in quarantine for a minimum of 14 days.

Explanation: Vaccination for the prevention of smallpox signifies an inoculation by incision (scratch), pressure, multiple puncture, or drill method of a vaccine which results in any one of the reactions now to be described.

When a proper technique and a potent vaccine are employed, one of the

three following reactions should be expected:

1. Vaccinia (primary reaction): This is the normal "take," occurring in unvaccinated persons who have not had smallpox or in persons whose immunity from a previous vaccination or a previous attack of smallpox has entirely disappeared. A papule appears on the third to fifth day which promptly develops into a vesicle surrounded by an areola of redness and induration. The vesicle and areola become larger, and the former develops into a pustule, usually reaching a maximum size on the tenth day. The resulting crust falls off usually after three or four weeks.

2. Vaccinoid (accelerated reaction): This type occurs in persons previously vaccinated, or who have previously had smallpox, but who have partially lost their immunity. The reaction runs a more rapid course than does primary vaccinia. The period of incubation is shortened to three days or less and the height of the pustular stage is reached about the sixth or eighth day. All the symptoms are less severe than in the primary reaction. The resulting scar,

if any, is much smaller and not so deep.

3. Immune reaction: This type occurs in persons who are fully protected against smallpox as a result of previous vaccination or a previous attack of the disease. It resembles a cutaneous tuberculin reaction. Within 24 to 48 hours after the inoculation, an area of redness about one-half inch or a little more in diameter will appear. It begins to decline within 72 hours. A small papule often appears, but usually there is no vesicle, or at least only a very minute one. This reaction is often reported as a "failure" but it is in reality an excellent indication that immunity is present.

Persons shall be considered immune: (a) By having had the disease at some previous time and having fully recovered, and this fact has been made a matter of record with the local board of health at the time of the illness. (b) By successful vaccination with vaccine virus, not more than seven years having

elapsed since the vaccination.

What to do with the contacts.-Contacts in the home: 1. Should all be vac-

cinated or revaccinated.

2. May be released from quarantine only as provided in the section "Re-

lease of persons before termination of quarantine."

3. Contacts in the home immediately prior to the establishment of quarantine must be (1) vaccinated within 24 hours or (2) quarantined for a minimum of 14 days.

4. Contacts in the home during the quarantine may not be released till the termination of the quarantine and for any additional length of time considered

necessary by the local board of health.

Contacts in the school: 1. Should all be vaccinated or revaccinated, unless successfully vaccinated within a year.

2. School boards can exclude from school all pupils unless vaccinated or revaccinated when a situation exists that threatens the health of the school children.

3. Local boards of health can exclude from school and its work all pupils, teachers, and attendants unless vaccinated or revaccinated when the health

situation in the school is a menace to the public.

Contacts in public: 1. Should be vaccinated or revaccinated unless vaccination is recent. It is recommended that where smallpox is prevalent all persons be vaccinated or revaccinated who have not had a successful "take" within a year.

SYPHILIS (LUES) (BIG POX)

What to do with the case.—1. Must be reported? Yes; as required by section 2281, code 1924. Physicians are required to give only the office number of the patient, not his name.

Yes; if endangering the health of others; as required 2. Must be placarded?

by section 2287, code 1924.

3. Investigation of reports to be made by local board of health? Yes; as required by section 2285, code 1924, but only if patient fails to take or to continue treatment while in an infective stage.

4. Must be excluded from school and public gatherings? Yes; if in infective

5. Must be quarantined? Yes; as required by section 2288, code 1924, unless under the treatment of a competent physician and following advice regarding the exposure of others.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. All discharges are to be collected on bits of cotton or gauze and burned

immediately.

7. Must perform terminal disinfection? No: cleansing and airing recommended.

General measures.—1. Education in matters of sexual hygiene, particularly as to the fact that continence in both sexes and at all ages is compatible with health and normal development,

2. Provision for accurate and early diagnosis and treatment, in hospitals and dispensaries, of infected persons, with consideration for privacy of record, and provision for following cases until cured.

3. Repression of prostitution by use of the police power and control of use of living premises.

4. Restriction of sale of alcoholic beverages.

5. Restriction of advertising of services or medicines for treatment of sex discases, etc.

6. Abandonment of the use of common towels, cups, and toilet articles, and eating utensils.

7. Exclusion of persons in the communicable stage of the disease from participation in the preparing and serving of food.

8. Personal prophylaxis should be advised to those who expose themselves to opportunity to infection.

TETANUS

What to do with the case .- 1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section It

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; all discharges from the wound must be collected on bits of paper, cotton, or cloth and burned at once, as provided in Section VIII.

7. Must perform terminal disinfection? No. Cleansing, airing, and sunshine recommended.

What to do with persons exposed.—No restrictions.

General measures.—1. Supervision of the practice of obstetrics.
2. Educational propaganda such as "safety-first" campaign and "safe and sane Fourth of July" campaign.

3. Prophylactic use of tetanus antitoxin where wounds have been acquired in regions where the soil is known to be heavily contaminated, and in all cases where wounds are ragged or penetrating.

4. Removal of all foreign matter as early as possible from all wounds. 5. Supervision of biological products, especially vaccines and sera.

TRACHOMA (CONTAGIOUS GRANULAR CONJUNCTIVITIS, GRANULAR EYELIDS)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as

required in Section I. 3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII and until pronounced noncontagious by health officer.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from lesions are to be collected on bits of cotton, paper, or cloth and burned immediately as provided in Section VIII.

7. Must perform terminal disinfection? No.

What to do with persons exposed .- 1. Children: Children need not be excluded from school.

2. Adults: No restrictions.

General measures.-1. Search for cases by examination of school children, of immigrants, and among the families and associates of recognized cases; in addition, search for acute secreting disease of conjunctive and adnexed mucous membranes, both among school children and in their families, and treatment of such cases until cured.

2. Elimination of common towels and toilet articles from public places.

3. Education in the principles of personal cleanliness and the necessity of avoiding direct or indirect transference of body discharge.

4. Control of public dispensaries where communicable eye diseases are treated.

TRICHINOSIS

What to do with the case.-1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? No.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? No.

What to do with persons exposed .- No restrictions on exposed persons.

General measures.—1. Inspection of pork products for the detection of trichinosis.

2. Thorough cooking of all pork products at a temperature of 160° F. or over.

TUBERCULOSIS (PULMONARY)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII. All discharges from the nose and throat must be collected and burned; also disinfection of the bed clothing and dishes must be practiced.

"Open cases" or cases capable of spreading infection are forbidden the privileges of engaging in certain occupations, viz, barber, cook, waiter, kitchen helper, handling of milk or any other occupation which brings them in direct or indirect contact with food offered for sale.

What to do with persons exposed .- 1. Children: Children need not be excluded

from school.

2. Adults: Periodic chest examinations are advised.

General measures.—1. Education of the public in regard to the dangers of tuberculosis and the methods of control, with especial stress upon the danger of exposure and infection in early childhood.

2. Provision of dispensaries and visiting nurse service for discovery of early

cases and supervision of home cases.

Provision of hospitals for isolation of advanced cases, and santoria for the treatment of early cases.

4. Provision of open-air schools and preventoria for pretuberculous children.

5. Improvement of housing conditions and the nutrition of the poor.
6. Ventilation and elimination of dust in industrial establishments and places of public assembly.
7. Improvement of habits of personal hygiene and betterment of general

living conditions.

Separation of babies from tuberculous mothers at birth.
 Renovation of quarters where tuberculous cases have been housed.

TULAREMIA (DEER-FLY FEVER)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII, all discharges from ulcers on patient must be disinfected.

7. Must perform terminal disinfection? Yes; as provided in Section VIII. What to do with persons exposed.—No restriction on exposed persons.

General measures.—1. Avoidance of the bites of, or handling of, flies and ticks when working in the infected zones during the seasonal incidence of the deer fly and tick.

2. The use of rubber gloves by persons engaged in dressing wild rabbits wherever taken, or when performing necropsies on infected laboratory animals. Employment of immune persons for dressing wild rabbits or conducting laboratory experiments. Thorough cooking of meat of wild rabbits.

TYPHOID FEVER

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

Must be quarantined? No.

6. Must practice concurrent disinfection? Yes; discharges from the bowels and bladder as provided in Section VIII.

7. Must perform terminal disinfection? Yes; as provided in Section VIII. Persons shall be regarded as immune: (a) By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local board of health at the time of the illness.

(b) By the inoculation of 2,500,000,000 of dead typhoid bacilli given in three divided doses one week apart, the dosage of typhoid bacilli being of 500,000,000, 1,000,000,000, and 1,000,000,000, respectively; not more than two years having

elapsed since the inoculation,

After recovery from a case of typhoid all persons are forbidden from engaging in certain occupations, viz, cook, waiter, kitchen helper, handler of milk, dairy products or other food for a period of four months after development of the disease and not thereafter until at least two specimens of stool and two specimens of urine, each specimen to be collected not less than 24 hours apart shall have been examined at the laboratories for the State department of health, and the B. typhosus shall not have been found.

No dairy products shall be allowed to be removed from a farm where a case of typhoid fever exists without permission from the State department of health

on written recommendation of the local health officer.

What to do with persons exposed .-- 1. Children: Children need not be excluded from school.

2. Adults: No restrictions on exposed persons.

General measures.-1. Because of similarity of exposure all other nonimmune members of the family should be immunized against typhoid.

2. Because of close contact all nonimmune attendants should be immunized against typhoid.

3. Protection and purification of public water supplies.

4. Pastuerization of public milk supplies.

5. Supervision of other food supplies and of food handlers.

6. Prevention of fly breeding.

7. Sanitary disposal of human excreta.

8. Extension of immunization by vaccination as far as practicable in communities where the disease is prevalent.

9. Supervision of typhoid carriers and their exclusion from the handling of

10. Systematic examination of fecal specimens from those who have been in contact with recognized cases, to detect carriers.

11, Persons who fail to show a strongly positive Widal reaction and contem-

plate traveling, should protect themselves by vaccination.

12. Exclusion of suspected milk supplies pending discovery of the person or other cause of contamination of the milk. 13. Exclusion of water supply, if contaminated, until adequately treated with

hypochlorite or other efficient disinfectant, or unless all water used for toilet,

cooking, and drinking purposes is boiled before use.

Typhoid "carriers" are common and are a menace to a community. It would be well to have a register of all known carriers with the local board of health, and have them report from time to time and inform such board of any proposed change of residence or occupation.

TYPHUS FEVER

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes; as provided in Section V.

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI.

6. Must practice concurrent disinfection? Yes; as provided in Section VIII.7. Must perform terminal disinfection? Yes; as provided in Section VIII. Destroy all vermin and vermin eggs on body of patient, on clothing, and in

What to do with persons exposed.—Delousing of all persons in contact with the case.

General measures .- Delousing of persons, clothing, and premises during epidemics, or when they have come or have been brought into an uninfected place from an infected community.

VINCENT'S ANGINA

What to do with the case .- 1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? No.

4. Must be excluded from school and all public gatherings? No; unless so required by local board of health.

5. Must be quarantined? No.

All cases should be under care of a physician.

They should not use cups or other utensils reaching the mouth in common

with others and should have separate face towels.

General measures.-Prevent malnutrition, give attention to oral hygiene and avoid contact with discharges or articles coming from the mouths of other people.

WHOOPING COUGH (PERTUSSIS)

What to do with the case.—1. Must be reported? Yes; as provided in Section IV. Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as

required in Section I.

3. Must be placarded? Yes; a warning card for 21 days minimum from beginning of characteristic whoop, as provided in section V.

4. Must be excluded from school and all public gatherings? Yes: as provided

in section VIII. Minimum period, 21 days.

5. Must be quarantined. No.

6. Must practice concurrent disinfection? Yes; all discharges from nose, throat; also bed clothing and dishes should be disinfected as provided in Section VIII.

7. Must perform terminal disinfection? No; thorough cleansing and airing

recommended.

What to do with persons exposed .- I. Children should not be excluded from

school, who are immune:

(a) By having had the disease at some previous time and having fully recovered, and this fact has been made a matter of record with the local board of health at the time of the illness.

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(b) By vaccination with at least 3,000 million Pertussis bacilli within a period of three weeks. (Those who have to do with whooping cough should remember that vaccination fails to produce an immunity in about 30 per cent of children and in some others the immunity is transitory.)

II. Children who are susceptible as defined in Section XII should be excluded

from school for two weeks.

Adults. No restrictions for exposures.

General measures.—Education in habits of personal cleanliness and in the dangers of association or contact with those showing catarrhal symptoms with cough.

YELLOW FEVER

What to do with the case.-1. Must be reported? Yes; as provided in Section Cases and suspected cases must be reported.

2. Investigation of reports to be made by local board of health? Yes; as required in Section I.

3. Must be placarded? Yes: as provided in Section V:

4. Must be excluded from school and all public gatherings? Yes; as provided in Section VII.

5. Must be quarantined? Yes; as provided in Section VI.

Must practice concurrent disinfection? Yes; as provided in Section VIII.
 Must perform terminal disinfection? Yes; as provided in Section VIII.

What to do with persons exposed,—Give full instructions regarding spread.

General measures.-1. Screen against mosquitoes.

2. Eliminate breeding places of mosquitoes.

Epidemio measures.—1. Inspection service for the detection of those ill with the disease.

2. Fumigation of houses in which cases of disease have occurred and of all adjacent houses.

3. Destruction of Ædes agupti mosquitoes by fumigation; use of larvicides; eradication of breeding places.

Certain Milk and Cream—Pasteurization Required—Definition and Records of Pasteurization—Enjoining Violation of Act. (Ch. 257, Act April 5, 1927)

Section 1. That chapter 60 to of the laws of the forty-first general assembly [1925] be and the same is hereby repealed and the following enacted in lieu thereof:

3076. Pasteurization of skimmed milk and the cream or milk from which ice cream or buttermilk is derived .- Every owner, manager, or operator, of a creamery or ice-cream factory shall before delivering to any person any skimmed milk, ice cream, or buttermilk, cause such skimmed milk and the cream or milk from which such ice cream or buttermilk is derived to be pasteurized except that pasteurization shall not be required when ice cream is made from cream or milk procured from cows that have been tuberculin tested at least once a year and found free from tuberculosis and the production of which milk and cream has been supervised and certified to by the Iowa Department of Agriculture as having been produced and handled under proper sanitary conditions.

3076a-1. Pasteurization defined.—Pasteurization for the purpose of the pre-

ceding section shall be defined as follows:

1. Milk, skimmed milk, and cream shall be deemed to have been efficiently pasteurized by the "holding process" when it has been subjected to a temperature of 145° F, and held at that temperature not less than 25 minutes.

2. Milk, skimmed milk, and cream shall be deemed to have been efficiently pasteurized by the "flash heat process" when it has been subjected to a

temperature of 185° F.

3076a-2. Record of pasteurization.—Every owner, manager, or operator of a creamery or ice-cream factory shall equip each vat or pasteurizer used in pasteurizing cream with an accurate recording thermometer and each temperature chart from such thermometer shall be dated and kept on file for inspection by the department, and it shall be unlawful to destroy any such chart without permission from the Secretary of Agriculture.

3076a-3. Injunction.—Any owner, manager, or operator of a creamery, or ice-cream factory, violating any of the provisions of the three preceding sections may be restrained by injunction from operating any such business. No injunction shall issue until after the defendant has had at least five days' notice of the application therefor and the time fixed for hearing thereon,

Food—Labeling. Imitation Butter—Sale—Certain Words or Representations Not to Be Used in Connection with Sale or Advertisement of. (Ch. 63, Act April 16, 1927)

[This act amends, among others, sections 3067 2 and 3093 3 of the code. 1924, to read as follows:]

3067. Label requirements.—All food offered or exposed for sale, or sold in package or wrapped form, shall be labeled on the package or container as prescribed in sections 3037 to 3040, inclusive, unless otherwise provided in this chapter.

¹ Supplement 59 to Public Health Reports, p. 164. ² Supplement 51 to Public Health Reports, p. 85.

3093. Sale of imitation butter.-Imitation butter shall be sold only under the name of oleomargarine, and no person shall use in any way, in connection or association with the sale or exposure for sale or advertisement of any such product, the word "butter," "creamery," or "dairy," or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combination thereof commonly used in the sale of butter.

Eggs—Grades. (Ch. 64, Act April 19, 1927)

Section 1. Grades.—The following grades of eggs are hereby established:

Grade 1: The minimum requirements of this grade shall be eggs which are clean and sound, with an air space of two-eighths inch or less in depth, yolk only slightly visible, white firm and clear, and the germ not visible. Eggs shall weigh 24 ounces net per dozen, with a minimum rate of 22 ounces for individual eggs. This grade would include eggs that would go as United States specials and United States extras.

Grade 2: The minimum requirements of this grade shall be eggs which are clean and sound, air cell of three-eighths inch or less in depth, yolk may be visible and mobile, white shall be reasonably firm, and germ may be slightly visible. Eggs shall weigh 24 ounces net per dozen, with a minimum rate of 22 ounces for individual eggs. This grade shall include eggs that would go as United States standards.

Grade 3: All edible eggs which do not meet the requirements of either of the preceding grades may be classed under this grade or may be further subdivided in conformity with Federal grades into United States trades, United States dirties, or United States checks.

Fresh eggs: A fresh egg shall be considered such if not to exceed 14 days old, shall be clean and sound, with an air cell of two-eighths of an inch or less in depth, yolk only slightly visible, white firm and clear, and the germ not visible.

Special grade 1: The minimum requirements of this grade shall be the same as of grade 1, and in addition thereto, when sold to the dealer, the eggs must have been laid within a period of 72 hours.

Food and Drugs-Penalty for Violation of Law Relating to-Enjoining Operation of Places of Business. (Ch. 61, Act April 23, 1927)

[This act amends section 3047 of the code, 1924, to read as follows:]

3047. Penalty.—Unless otherwise provided, any person violating any provision of this title, or any rule made by the department and promulgated under the authority of said department, shall be punished by a fine of not less than \$10 nor more than \$100 or by imprisonment in the county jail not to exceed 30 days, and on a third conviction for the same offense may be restrained by injunction from operating such place of business.

Joint Use by Certain Municipalities of Sewer Systems for Purpose of Furnishing a Joint Outlet—Assessments Against Property. (Ch. 263, Act February 24, 1927)

[This act amends section 3 of chapter 120,6 laws of 1925, to read as follows:] Sec. 3. Provisions applicable—Resolution—Hearing—Notice.—The provisions of section 5993, Code of Iowa, 1924, relative to preliminary plat and schedule shall not apply to this act, but before the preparation of the plat and schedule for the levying of the special assessments authorized herein the city or town council shall by resolution describe the property abutting upon any line of sanitary sewer in such city or town, or adjacent thereto, which it is contemplated to assess for the cost and expense of constructing such connecting line or lines of sewer and the amount agreed upon to be paid for the use of the sanitary sewer system of such other city or town, except the annual charge agreed upon; hearing shall be had upon such resolution at a date fixed by the city council and notice of said hearing shall be given by two publications in each of two newspapers published in said city or town, if there be that number, otherwise in one and by handbills posted in conspicuous places along the line or lines of such sanitary sewers in said city or town. Said notice shall describe the prop-

⁴ Id., p. 83. ⁵ Supplement 59 to Public Health Reports, p. 166.

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erty proposed to be assessed and said hearing shall be not less than 20 days after the date of the first publication of said notice; any property owner whose property it is contemplated to assess may appear and protest against the passage of said resolution.

Cattle—Indemnity for Animals Destroyed Because Tuberculous—Accredited Area Plan for Eradication of Tuberculosis in. (Ch. 54, Act April 12, 1927)

[Section 1 of this act repeals section 2671 (as amended by chapter 55,6 laws

of 1925) of the code, 1924, and enacts the following in lieu thereof:]

2671. Amount of indemnity to be paid owner.—When breeding animals are slaughtered following any test, there shall be deducted from their appraised value the proceeds from the sale of salvage. The owner shall be paid by the State one-third of the sum remaining after the above deduction is made, but the State shall in no case pay to such owner a sum in excess of \$75 for any registered pure-bred animal or \$50 for any grade animal.

[Section 2 repeals section 2694 (as amended by chapter 54, laws of 1925)

of the code, 1924, and enacts the following in lieu thereof:]

2694. Accredited counties.—When 65 per cent of the owners of breeding cattle in any county operating under the county area plan shall have signed agreements with the department of agriculture, the department shall cause a notice to be published for two consecutive weeks in two offical county papers of the date and place of hearing on said agreements, which hearing shall be held before the secretary of agriculture, or someone designated by him, in said county, not less than 5 nor more than 10 days after the last publication. Said date and place of hearing shall be set by the secretary of agriculture.

[Sections 3 and 4 amend, respectively, sections 2697 and 2698 5 of the code,

1924, to read as follows:1

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2697. Established by vote of people.—Whenever any number of electors of the county equal to 15 per cent of the voters of the county as shown by the vote for the head of the ticket at the last general election, petition the board of supervisors for the establishment of the accredited area plan and file the same in the office of the county auditor, the board shall, if it finds such petition comp ies with the requirements of this chapter, submit at the next general or special election, if a special election be held for some other purpose, the following proposition: Shall _______ county levy a tax of not more than 3 mills on the taxable value of the property of the county for the purpose of establishing a county tuberculosis eradication fund and entering upon the accredited area plan?

2698. Sufficiency of vote—Enrollment.—If the proposition receives a majority of the votes cast at such election the board shall notify the department, which shall enroll the county under the accredited area plan.

[Section 5 adds the following to chapter 129 of the code, 1924:]

Retesting of modified accredited counties.—The secretary of agriculture may order a retest of breeding cattle at any time when, in his opinio, it is necessary to do so, and shall, once in three years, order the tuberculin testing of any cattle to conform to and comply with the regulations of the Federal Bureau of Animal Industry in the county where the percentage of bovine tuberculosis has been reduced to one-half of 1 per cent or less, subject to the provisions of this act with reference to the disposition or slaughtering of animals found to be reactors when given a tuberculin test.

The board of supervisors shall use whatever tuberculosis eradication funds may be on hand in said county, and shall levy the tax provided in this act each year for the purpose of paying the expenses of such testing and the indemnities provided for herein if the State and Federal funds are not sufficient to pay the cost thereof and the indemnities for such animals. Whenever any county is enrolled under the provisions of this chapter the township trustees in such county are hereby constituted the animal board of health in their respective townships, and they shall report to the State department of agriculture all breeding cattle brought into their respective townships from outside of the county.

Supplement 59 to Public Health Reports, p. 166.

Id., p. 165.
 Supplement 51 to Public Health Reports, p. 99.

SEC. 6. Legalizing.—The enrollment of all counties now operating under the accredited area plan and the proceedings for the enrollment thereof are hereby legalized and validated and such counties are hereby declared to be enrolled and established under the accredited area plan for the eradication of bovine tuberculosis under such plan.

Nothing in this act shall affect pending litigation.

Dead Animals—Penalty for Violation of Law Relating to Disposal of. (Ch. 55, Act February 22, 1927)

Section 1. Section 2762° of the code is hereby repealed and the following

is enacted in lieu thereof:

2762. Penalty.—The violation of any of the provisions of this chapter or any rule adopted thereunder by the department shall be punishable by a fine of not less than \$5 nor more than \$100 or by imprisonment in the county jail not more than 30 days.

Barbers—Health Certificate Required of Applicants for License—Sanitary Requirements. (Ch. 48, Act April 19, 1927)

Sec. 3. No applicant shall be issued a license to practice barbering unless and until he shall:

1. Present to the examiners the certificate of a medical physician, showing

freedom from any infectious or contagious disease.

SEC. 5. The State department of health shall prescribe such sanitary rules as it may deem necessary, with particular reference to the conditions under which the practice of barbering shall be carried on and the precautions necessary to be employed to prevent the creating and spreading of infectious and contagious diseases. Barbering shall not be practiced in the living quarters of any person. The department of health shall have power to enforce the provisions of this section and to make all necessary inspections in connection therewith.

SEC. 8. The commissioner of public health, with the approval of the barber exam.ners, shall appoint such necessary inspectors and clerical assistants as may be necessary to properly administer and enforce the provisions of this act. The compensation of such inspectors and clerical assistants shall be paid from the appropriation made in section 2462 of the code: Provided, however, That such appointments and the amount of compensation of such appointees shall be approved by the executive council: And provided further, That the entire cost of the administration and enforcement of this act shall not exceed in any year the receipts by virtue of this act for such year.

Cosmetology—Health Certificate Required of Applicants for License to Practice—Sanitary Requirements. (Ch. 49, Act April 5, 1927)

Sec. 3. No applicant shall be issued a license to practice cosmetology unless and until he shall:

1. Present to the examiners the certificate of a medical physician, showing freedom from any infectious or contagious disease.

SEC. 6. The State department of health shall prescribe such sanitary rules as it may deem necessary, with particular reference to the conditions under which the practice of cosmetology shall be carried on and the precaut ons necessary to be employed to prevent the creating and spreading of infectious and contagious diseases. Cosmetology may be practiced in the home providing a room, other than the living rooms, be fitted up for that purpose. The department of health shall have power to enforce the provisions of this section and to make all necessary inspections in connection therewith.

Sec. 9. The commissioner of public health, with the approval of the cosmetology examiners, shall appoint such necessary inspectors and clerical assistants

[•] Id., p. 113.

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as may be necessary to properly administer and enforce the provisions of this act. The compensation of such inspectors and clerical assistants shall be paid from the appropriation made in section 2462 of the code: Provided, however, That such appointments and the amount of compensation of such appointees shall be approved by the executive council: And provided further, That the entire cost of the administration and enforcement of this act shall not exceed in any year the receipts by virtue of this act for such year.

KANSAS

Scarlet Fever-Control Measures. (Reg. Bd. of H., June, 1927)

RULE XXVIII. Scarlet fever, scarlatina, and scarlet rash.—(a) Must be reported; must be placarded; must be excluded from school and all public gatherings; must be quarantined; concurrent disinfection; terminal disinfec-

tion before removal of placard.

(b) No member of any household in which scarlet fever or scarlatina exists, and no person afflicted with or recovering from such disease, shall be permitted to appear on the public streets or highways, or in any public place, or attend any place of public amusement or worship or visit any other private house for a minimum period of 28 days: Provided, That in all instances where, in the opinion of the city or county health officer, proper and safe arrangements can be made the wage earner of the family may be released from such restrictions if the work of the wage earner does not bring him in contact with children or that he does not attend places of public assemblage.

(c) No person suffering from scarlet fever shall be released at the minimum period, 28 days if desquamation is not complete, or until all discharges from

the nose, ears, and throat or suppurating glands have ceased.

(d) Adults not ill with the disease may be instructed, disinfected, and released to live elsewhere if such release is approved by the local board of health.

(e) Children of school age or less than school age who have had scarlet fever at some previous time and have fully recovered, and this fact has been made a matter of record with the local board of health at that time, may be

released on the same basis as adults.

(f) Children of school age or less than school age not known to be immune may be released before the termination of quarantine only to be isolated in another dwelling where there is no case of scarlet fever and where there are no children. This house shall be placarded "Observation quarantine—Keep out." Children thus isolated may be released after seven days in this second isolation: Provided, That they have no clinical manifestations of the disease, but they must not return to the home where the scarlet fever case is quarantined until termination of the 28-day period and the placard is removed by the consent of the health officer.

(g) Any teacher in a public school who has been living or visiting with any family in which a case of scarlet fever or scarlatina develops must not return to her school duties until seven days have elapsed from the date of last

exposure.

Scarlet rash: (h) Whenever a scarlet rash occurs, even in the absence of other typical scarlet-fever signs and symptoms, the health officer shall take the same precautions as in a diagnosed case of scarlet fever until the occurrence of contact cases, desquamation (en massi), or other diagnostic signs—strawberry tongue, Schultz-Charlton blanching test—proves the case to be scarlet fever.

(i) Any or all of these findings when positive shall be diagnostic. In event of negative findings after sufficient time has elapsed, and in the opinion of the health officer the case is noninfectious, the quarantine may be terminated.

Children Under 14 Having Paroxysmal Cough Continuing for One Week— Reports of, When Whooping Cough Has Been Declared Epidemic. (Reg. Bd. of H., June, 1927)

[Rule XXX]. (e) Owing to the difficulty of making a positive diagnosis in mild cases of this disease, due to the absence of the characteristic whoop in 50 per cent of the cases that occur, it is hereby ruled that whenever the health officer declares the disease to be epidemic in the community all children under 14 years of age having a paroxysmal cough, which continues for one week, must be immediately reported to the local health department so that proper precautions can be taken to protect the public health until a definite diagnosis can be made.

KANSAS 309

School Medical Inspection and Free Treatment for Defects in Indigent Children—Providing of, in Certain First-Class Cities Authorized. (Ch. 279, Act February 11, 1927)

Section 1. That boards of education of cities of the first class having a population of more than 85,000 and less than 110,000 are hereby authorized and permitted, but not required, to provide free inspection and necessary treatment for defects or ailments discovered for all children in public schools of such cities who are unable to pay the necessary expense for private treatment. The board of education shall determine whether the parents of such pupil are unable to pay the necessary expense for private treatment, and their decision in

regard thereto shall be final and conclusive.

Sec. 2. That boards of education who shall adopt the provisions of section 1 of this act shall provide a place of inspection and designate some competent licensed physician, or physicians, to make such inspections and give such treatments, or perform such operations, as are necessary for the treatment or curing of defects or ailments discovered; and such boards of education may fix a compensation for such services, which sum may be paid out of the general school fund of such board for the services rendered therein; and said boards of education are hereby authorized to make all necessary rules and regulations for the proper conduct of such inspection and treatment, and for carrying into effect all of the provisions of the preceding section, and furnish all necessary forms and blanks for the reports of such inspection and treatment.

Sec. 3. That a certificate of the result of such investigation and inspection, together with suggestions for the treatment or curing of any defect or ailments found, by operation or otherwise, shall be made by a physician making such inspection, in duplicate, one copy of the same to be furnished to the child examined, the other to be filed with the clerk of the said board of education: *Provided, however*, That no inspection, treatment, or operation shall be performed by the examining physician without the consent of the parents or

guardian of the child.

Certain Employees of State Board of Health-Appointment. (Ch. 15, Act March 22, 1927)

Sec. 6. That section 75-3154 of Revised Statutes of Kansas of 1923 be

amended to read as follows:

Sec. 75-3154. The State board of health is hereby authorized to appoint an assistant chief food and drug inspector who shall receive an annual salary of \$2,000; four food and drug inspectors each of whom shall receive an annual salary of not to exceed \$1,800; a private secretary to the secretary at a salary of not to exceed \$1,500 per annum; a stenographer who shall receive an annual salary of not to exceed \$1,200.

Division of Vital Statistics—Disposal of Fees Remitted by—Compensation of Officers and Employees—Appropriation. (Ch. 307, Act March 22, 1927)

Section 1. That the State treasurer and auditor of State shall credit 10 per cent of all fees remitted into the State treasury by the division of vital statistics of the State board of health in pursuance of chapter 201, laws of 1925, and all acts amendatory or supplemental thereto, to the general revenue fund of the State to reimburse said general revenue fund, for the expenses of printing, legal advice, auditing and handling of accounts and funds, and all other general expenses which are paid out of the general revenue fund but which are properly chargeable to the division of vital statistics; the remaining 90 per cent of said fees shall be by the State treasurer and auditor of State placed into a special fund to the credit of the said division of vital statistics of the State board of health.

SEC. 2. That section 75-3158 of the Revised Statutes of Kansas of 1923 is

hereby amended to read as follows:

Sec. 75-3158. The State registrar in the division of vital statistics shall receive an annual salary of not to exceed \$2,400; an assistant State registrar in the division of vital statistics, who shall receive an annual salary of not to

¹ Supplement 59 to Public Health Reports, p. 173.

exceed \$1,500; a statistician who shall receive an annual salary of not to exceed \$1,800; a statistical clerk who shall receive an annual salary of \$1,200, and other clerks who shall receive in the aggregate not to exceed \$3,000 annually and not to exceed \$1,200 annually to any one person, and two stenographers who shall receive in the aggregate not to exceed \$2,400 annually and not to exceed

\$1,200 annually to any one person.

SEC. 3. That all moneys now in the State treasury to the credit of the division of vital statistics of the State board of health and all moneys collected as provided in said chapter 201, laws of 1925, and all acts amendatory and supplemental thereto, during the fiscal years ending June 30, 1928, and June 30, 1929, except the 10 per cent to be credited to the general revenue fund as provided in section 1 of this act, are hereby appropriated for the use of the vital statistics in carrying out the provisions and for the purposes expressed and specified in said chapter 201, laws 1925, and any acts amendatory or supplemental thereto. Any unexpended balance remaining in said fund at the close of the fiscal year ending June 30, 1927, and June 30, 1928, is hereby reappropriated and made available for the next succeeding fiscal year.

SEC. 4. That the auditor of State is hereby authorized to draw his warrants on the treasurer of State against said division of vital statistics (known as marriage registration fees) of the State board of health, upon duly itemized and verified vouchers approved by the secretary of the State board of health for the purposes provided and specified by law, but in no event shall the total expenses exceed the total fees collected and deposited to the credit of said fund.

Sec. 5. That original section 75-3158 of the Revised Statutes of Kansas of 1923, and house bill No. 669, session of legislature of 1927, are hereby repealed.

Local Health Officers—Oath of Office, Bond, Duties, Compensation, and Assistants. (Ch. 240, Act March 21, 1927)

[This act amends section 65-202 (as amended by chapter 202,2 laws of 1925)

of the Revised Statutes, 1923, to read as follows:]

That the county health officer in each county and the health officer of each local board of health throughout the State, immediately after his election, shall take the same oath of office prescribed by law for the coounty officers, and shall give bond of \$500, conditioned for the faithful performance of his duties, to keep an accurate record of all the transactions of his office, and to turn over to his successor in office or to the county or local board of health selecting him, on the expiration of his term of office, all records, documents, and other articles belonging to the office, and to faithfully account to said board and to the county and State for all moneys coming into his hands by virtue of his office. And he shall further notify the State board of health of the fact of his election and qualification, as herein provided for, and give his post-office address. He shall receive and distribute without delay in the county for which he is appointed all forms from the State board of health to the rightful persons, all returns from physicians, assessors, and local boards to the said State board of health, and shall keep an accurate record of all of the transactions of his office, and shall turn over all records and documents kept by him, as herein provided, and all other articles belonging to the office to his successor in office, or to the county or local board electing him, on the expiration of his term of office. He shall, upon the opening of the fall term of school, make a sanitary inspection of each school building and grounds, and shall make such additional inspections thereof as are necessary for the protection of the public health of the students of the school. He shall make a personal investigation of each case of smallpox, diphtheria, typhoid fever, scarlet fever, acute anterior poliomyelitis, (infantile paralysis), epidemic cerebrospinal meningitis, and such other acute infectious, contagious, or communicable diseases as may be required, and shall use all known measures to prevent their spread, and shall perform such other duties as this act, his local board, or the State board of health may require of him: Provided, however, That such inspection or investigation shall not be made in any case which has been reported to the proper health authorities as required by law, and where quarantine regulations have not been infringed upon. He shall receive for his services such reasonable compensation as his board may allow, and with the approval of his local board of health

² Supplement 59 to Public Health Reports, p. 169.

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may employ a skilled professional nurse, whenever he finds it necessary to have such assistance, and the local board of health for the county shall allow such nurse the sum of \$5 per day and her necessary transportation and incidental expenses while so employed, upon the approval of the same by the county health officer. The local board of health, whenever they deem it necessary for the protection of the public health, may employ additional personnel. All of said several sums allowed shall be paid out of the county treasury; and for any failure or neglect of said health officer to perform any of his duties prescribed in this act he may be removed from office by the State board of health, as well as in the manner prescribed by the preceding section. And in addition to removal from office as provided herein, for any failure or neglect to perform any of the duties prescribed by this act, said county or local health officer shall be deemed guilty of a misdemeanor and, upon conviction, be fined not less than ten nor more than one hundred dollars for each and every offense.

Milk—Serving in Bottles at Hotels, Restaurants, etc., Required. (Reg. Bd. of H., September 30, 1927)

That after the publication of this regulation in the official State paper, milk served to the public in hotels, restaurants, cafés, lunch stands, and other places where foods and drinks are served, shall be served only in ½-pint, ¾-pint, or 1-pint bottles, and shall be kept under proper refrigeration until served to the customer. The bottles shall be opened only when being served to the customer.

State Dairy Commissioner—Appointment, Powers, and Duties. Dairy Products—Production, Handling, and Sale—Standards. Filled Milk—Manufacture or Sale Unlawful. (Ch. 242, Act March 5, 1927)

Section 1. The State board of agriculture is hereby authorized and empowered to appoint a State dairy commissioner and such deputies and office assistants as in its judgment may be deemed necessary to fully carry out the provisions of this act; to fix their compensation, and to have full and complete control and supervision over the dairy commissioner's office, and said board is further authorized to formulate and prescribe such reasonable rules and regulations as may be deemed necessary to accomplish the purposes of this act.

Sec. 2. It shall be the duty of the State dairy commissioner: (1) To inspect or cause to be inspected, as often as may be deemed practicable, all the creameries, public dairies, condenseries, butter, cheese, and ice-cream factories, or any other places where dairy products are produced, manufactured, kept, handled, stored, or sold within the State. (2) To prohibit the production and sale of unclean or unwholesome milk, cream, butter, cheese, ice cream, or other dairy products. (3) To condemn for food purposes all unclean or unwholesome dairy products wherever he may find them. (4) To take samples anywhere of any dairy products or imitation thereof, and cause the same to be analyzed or satisfactorily tested according to the method of the Association of Official Agricultural Chemists in force at the time. Such analyses or tests shall be preserved and recorded as evidence, and the certificate of such test, when sworn to by the analyst, shall be admitted in evidence in all prosecutions that may result under the operation of this act. (5) To assist the State board of agriculture in compiling and publishing annually statistics and information concerning all phases of the dairy industry in this State and the manufacturers of dairy products, upon his request, shall furnish the dairy commissioner such data and statistics as he may require, and these shall be used for the purpose of compiling statistical reports of general dairy interest, and for checking-fee returns as provided hereinafter.

SEC. 3. The State dairy commissioner and his deputies are hereby authorized and empowered: (1) To enter, during business hours, all creameries, public dairies, condenseries, cheese and ice-cream factories, or other places where dairy products are manufactured, produced, stored, sold, or kept for sale or transportation, to perform their official duties. (2) To examine, under oath or otherwise, any person whom they may believe has knowledge concerning the unlawful operation of any creamery, public dairy, condensery, cheese or ice-cream factory, or other place where dairy products are produced, bought, sold, or tested. * * * (4) To issue subpœnas requiring the appearance of witnesses and the production of books, papers, reports, and records, and to administer oaths with like effect as is done in courts of law in this State. It

shall be the duty of any district court or the judge thereof, upon the application of said State dairy commissioner, to issue an attachment for such witness or witnesses and compel his or their attendance before the State dairy commissioner to give testimony upon such matters as shall be lawfully required by such commissioner, and said court or judge shall have power, in cases of refusal, to punish for contempt, as in other cases of refusal to obey the orders and

process of the court.

SEC. 4. For the purpose of this act, (1) The term "dairy manufacturing plants" shall be construed to embrace creameries, condenseries, public dairies, butter, cheese, ice cream, and other dairy factories, and the term shall be considered also to mean such concerns as manufacture for sale dairy products, either at wholesale or retail. (2) The term "public dairies" shall also be considered to mean any places where milk and cream are purchased from producers and sold or kept for sale either at wholesale or retail. (3) The term "milk or cream station" shall be considered to mean any place where milk or cream may be received or purchased and held for shipment or delivery to the dairy manufacturing plant. (4) The term "milk or cream brokerage" shall be considered to mean any business that is conducted for the purpose of purchasing milk, cream, or butterfat with the intent of resale without being converted into a finished product. (5) The term "field superintendent" shall be considered to mean any qualified person who is the duly authorized representative of any persons, firm, company, or corporation engaged in buying, selling, or manufacturing dairy products, and who has supervision over buying stations and operators. (6) The term "station operator" shall be considered to mean any person who performs the act of sampling or testing milk, cream, or other dairy products, the test of which is to be used as a basis of making payment for said products.

SEC. 7. It shall be unlawful: (1) To handle milk, cream, butter, ice cream, or other dairy products in unclean or insanitary paces, or in an insanitary manner, or to keep, store, or prepare for market any milk, cream, or other dairy products in the same building or inclosure with any hide or fur house, or any cow, horse, or hog barns or sheds, or other places where livestock is kept, housed, or handled, or in rooms or buildings used as gasoline or oil filling stations. Cream or milk receiving and buy ng stations must have outside doors or adjustable outside windows, and if cream stations have connecting doors with any other part of the building in which said stations may be located, there must be installed at the connecting door a vestibule having solid doors provided with strong springs to keep them cosed, and such vestibule must meet the approval of the dairy commissioner. Cream rooms must be used exclusively for the handling of dairy products. The State dairy commissioner and his deputies shall have the power and they are hereby authorized to forbid the handling of cream, milk, butter, ice cream, or other dairy products in any such place or places as in their judgment are insanitary and will affect the purity of the milk, cream, butter, ice cream, or other dairy products handled therein, or that will in any way injure the flavor or market value thereof. (2) To handle, test, or ship milk, cream, or ice cream or other dairy products in unc ean or insanitary vessels, or to expose milk, cream, or ice cream or other dairy products to flies or other contaminating influences likely to convey pathogenic or other injurious bacteria to such milk, cream, ice cream, or other dairy products. (3) For any common carrier to neglect or fail to remove or ship from its depot, on the day of its arrival there for shipment, any milk, cream, or other dairy products left at such depot for transportation. Railway and express companies and other common carriers must provide and utilize sanitary ventilated rooms or canvas covers at depots or transfer points for the protection from extreme temperatures of all milk, cream, and ice cream received for shipment, and not allow merchandise of a contaminating nature to be stored on or with the cream. (4) To allow milk or cream cans or ice-cream packers to remain at a rai road depot longer than one day from the date of their arrival, or to allow the empty cans to stand more than one day without removing the covers and inverting the cans in pure air. (5) To use any branded or registered cream can or milk can or ice cream packer or container for any other purpose than the handling, storing, or shipping of milk, cream, * * * Every person, firm, or corporation purchasing ice cream or ice cream. in cans and shipping bags which are to be returned to the manufacturer shall cause such cans to be washed and cleaned as soon as emptied, and with the

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bags stored in a dry place, and returned at once. (7) To sell or offer for sale milk, cream, butter, cheese, ice cream, or other dairy products that are not pure and fresh and handled with clean utensils. In all cases it shall be unlawful to sell or offer for sale milk or cream from diseased or unhealthy animals or handled by any person suffering from or coming in contact with persons afflicted with any contagious disease, and it shall be unlawful to sell or offer for sale any milk or cream exposed to contamination or into which have fallen any insanitary articles or any foreign substance which would render the milk or cream or the product manufactured therefrom unfit for human consumption. In all prosecutions and proceedings for the enforcement in any of the courts of this State of all laws and regulations pertaining to the production, sale, and distribution of dairy products of any kind whatsoever, the standards of purity and the definition of said products shall be such as are hereinafter stated, and whosoever shall sell or offer or expose for sale anywhere in this State milk, cream, butter, cheese, ice cream, or other dairy product containing any preservatives of any kind whatsoever except common salt or sugar, or that shall not comply with the standards hereinafter provided, shall be guilty of a misdemeanor.

SEC. 8. (A) (1) Whole milk is the lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, and when offered for sale must contain not less than 3¼ per cent of butter fat; (2) milk for manufacturing purposes may contain less than 3¼ per cent of butter fat, but must be delivered pure, sweet and clean; (3) for the purposes of this act, skimmed milk shall be considered to be such milk as has had all or a portion of the

butter fat removed.

(B) (1) Cream is that portion of milk rich in butter fat which rises to the surface of the milk on standing or is separated from it by centrifugal force, and contains not less than 18 per cent of butter fat. (2) All cream shall be graded according to the following rules, and each grade shall be kept in a separate can, plainly marked to indicate the grade contained therein. First-grade cream shall consist of cream that is clean, smooth, free from undesirable odors, clean to the taste, and sweet or only slightly sour. (b) Secondgrade cream shall consist of cream that is too sour to grade as first, that contains undesirable flavors or odors in a moderate degree, that is foamy, yeasty or slightly stale, or that is too old to pass as first-grade cream. All sour cream containing less than 25 per cent butter fat shall be graded as second-grade. It shall be unlawful to falsely grade cream, or to mix cream of different grades, or to offer for sale or purchase for use as human food, unlawful cream as herein defined. (c) Unlawful milk or cream shall consist of milk or cream that is very old, rancid, moldy, dirty, or curdy, which contains or has contained any foreign matter, or in which has been found insanitary articles or utensils, and such milk or cream shall not be purchased, sold, or used for food purposes. It shall be unlawful to sell or offer for sale, or ship with the intent of selling, to any purchaser any milk, cream, or other dairy product that has contained or does contain any foreign substance that renders said milk, cream, or other dairy product unfit for human food. Persons engaged in milk or cream buying are hereby required, when offered unlawful milk or cream, to treat it with Venetian red sufficient to show unmistakably that such cream is unfit to be used in the manufacture of human food. (3) No part of any shipment of milk or cream to be used in the manufacture of food products shall be delivered to a carrier in an unwholesome condition.

(C) (1) Butter is the product made by gathering, in any manner, the fat of fresh or ripened milk or cream into a mass which also contains not less than 80 per cent of butter fat or made in accordance with such standards as shall be established by the Department of Agriculture of the United States: Provided, That the amount of butter fat in the product of any one manufacturer, or in any given quantity of butter, shall be determined as hereinafter provided with reference to renovated or process butter; butter may also contain a harmless vegetable coloring matter. (2) Renovated or process butter is the product made by melting butter and reworking, without the addition or use of chemicals or any substance except milk, cream, or salt, and contains not less than 80 per cent of butter fat, or made in accordance with such standards as shall be established by the department of agriculture of the United States: Provided, That the amount of butter fat in the product of any one manufacturer, or in any given quantity of butter. renovated or process butter, shall be ascertained

in the following manner, to wit: Five samples shall be taken from five different packages of any one manufacturer, or from any one tub or churning of butter, and a careful analysis made by the official method adopted by the Association of Agricultural Chemists. If this analysis shall show less than 80 per cent of butter fat, butter or process butter thus analyzed shall be deemed adulterated butter, and the manufacturer shall be deemed guilty of a misdemeanor and the butter must be reworked before again being offered for sale. Renovated or process butter may also contain a harmless vegetable coloring matter.

(D) (1) Cheese is the solid and ripened product made by coagulating the casein of milk by means of rennet or acids, with or without the addition of ripening ferments or seasoning; cheese may also contain harmless vegetable coloring matter; (2) whole milk or full cream cheese is cheese made from milk from which no portion of the fat has been removed and contains not less than 50 per cent of butter fat in proportion to total solids; (3) skim-milk cheese is cheese made from milk from which any portion of the fat has been removed.

(E) (1) Ice cream is a frozen product containing not less than 10 per cent milk fat; not less than a total of 20 per cent milk solids, and not less than 33 per cent total solids; said product consisting of a flavored, sugar-sweetened mixture of cream or cream and milk, or the sweet, pure products of cream and milk, with or without the addition of gelatine, vegetable gums, or such other wholesome stabilizers as may be approved by the State dairy commissioner, to which mixture may be added pure, fresh, sweet, wholesome eggs, fruit or fruit juice, cocoa, chocolate, or nuts. (2) All milk, cream and milk products shall be pasteurized before used in the manufacture of ice cream. Pasteurization for the purposes of this act is defined to mean the heating of the milk, cream, or milk products used in the manufacture of ice cream to a temperature of at least 145° F, and held at said temperature for 30 minutes. All pasteurizing vats used for pasteurizing ice cream mix, or milk and cream used in the manufacture of ice cream, shall be equipped with a recording thermometer, and for each vat of milk, cream, or ice cream mix pasteurized, a separate record chart shall be used; said charts being dated and kept on file until called for by the State dairy commissioner or deputy. It shall be unlawful to use any milk, cream, or ice cream mix in the manufacture of ice cream without having on file, subject to the demand of the State dairy commissioner, a true record of pasteurization of said product. The facilities for holding said product at a low temperature until frozen must meet the approval of the State dairy commissioner. (3) Samples of ice cream taken for official test shall be taken with a butter trier from a full or nearly full can of ice cream in solid condition, or from the ice cream freezer.

(F) (1) It shall be unlawful to sell, keep for sale, or offer for sale any condensed or evaporated milk, concentrated milk, sweetened condensed milk, sweetened evaporated milk, sweetened concentrated milk, sweetened condensed skimmed milk, sweetened evaporated skimmed milk, sweetened concentrated skimmed milk, which shall not conform at least to the minimum standards hereinafter provided. Condensed milk, evaporated milk, or concentrated milk is the product resulting from the evaporation of a considerable portion of the water from whole, fresh, clean milk, and contains, all tolerances being allowed for, not less than 25.5 per cent of total solids and not less than 7.8 per cent of milk fat. Sweetened condensed milk, sweetened evaporated milk, or sweetened concentrated milk is the product resulting from the evaporation of a considerable portion of the water from whole, fresh, clean milk, to which sugar (sucrose) has been added. It contains, all tolerances being allowed for, not less than 28 per cent of total milk solids and not less than 8 per cent of milk fat. Condensed skimmed milk, evaporated skimmed milk, concentrated skimmed milk is the product resulting from the evaporation of a considerable portion of the water from skimmed milk and contains, all telerances being allowed for, not less than 20 per cent of milk solids. Sweetened condensed skimmed milk, sweetened evaporated skimmed milk, sweetened concentrated skimmed milk is the product resulting from the evaporation of a considerable portion of the water from skimmed milk to which sugar (sucrose) has been added. It contains, all tolerances being allowed for, not less than 28 per cent of milk solids. (2) It shall be unlawful to manufacture, sell, keep for sale, or have in possession with intent to sell or exchange, any milk, cream, skim milk, buttermilk, condensed or evaporated milk, powdered milk, condensed skim milk, or any of the fluid derivatives of any of them to which has been added any fat or oil other than milk fat, either under the name of said products, or articles

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or the derivatives thereof, or under any fictitious or trade name whatsoever. (3) It shall be unlawful to sell, keep for sale or offer for sale any condensed or evaporated or powdered skim milk in containers holding less than 10 pounds avoirdupois net weight, and each said container shall bear the name and address of the manufacturer, distinctly branded, indented, labeled, or printed thereon, together with the words "condensed skim milk" or "powdered skim milk," as the case may be, in Roman letters of a size at least as large as any other

words or letters appearing on said brand, indentation, or label.

Sec. 9. (A) (1) It shall be unlawful to manufacture butter, ice cream, cheese, condensed milk or milk powder in the State of Kansas, without first having applied for and obtained a license signed by the State dairy commissioner, bearing the seal of his office. Such license shall be conspicuously displayed in the applicant's place of business. Dairy manufacturer's license shall be issued on application, of the legally authorized representative of such dairy manufacturing plants, to the dairy commissioner, accompanied by the annual license fee of \$10, such license to remain in force for one year, subject to the provisions of this act, the rules and regulations based hereon, and the payment of the quarterly butterfat tax in accordance with the following schedule:

Creameries: That each person, firm, partnership, company, or corporation engaged in the manufacture of butter shall pay, through the office of the State dairy commissioner, not later than the 15th day of January, April, July, and October, 5 cents for each 1,000 pounds of butterfat purchased from Kansas

producers during the three preceding calendar months.

Ice-cream factories: That each person, firm, partnership, company, or corporation engaged in the manufacture of ice cream shall pay, through the office of the State dairy commissioner, not later than the 15th day of January, April, July, and October, 50 cents for each 1,000 gallons of ice cream manufactured during the three preceding calendar months.

Cheese factories: That each person, firm, partnership, company, or corporation engaged in the manufacture of cheese shall pay, through the office of the State dairy commissioner, not later than the 15th day of January of each year, 5 cents for each 1,000 pounds or fraction thereof of butterfat purchased during

the preceding year.

Condenseries and mik-powder plants: That each person, firm, partnership, company, or corporation engaged in the manufacture of condensed milk, condensed skimmed milk, powdered milk or powdered skimmed milk, shall pay, through the office of the State dairy commissioner, not later than the 15th day of January, April, July and October, 5 cents for each 1,000 pounds of butterfat purchased during the three preceding calendar months.

Nothing in this act pertaining to the manufacture of butter shall apply to farmers or producers of milk and cream when churning milk or cream produced on their own farm into what shall be known as dairy, country, or farm butter, or to prohibit such producers from making cheese out of milk and cream, pro-

duced on their own farm.

(B) (1) It shall be unlawful to establish a cream or milk buying station and install any person or persons as station operators without first having obtained a field superintendent's license from the State dairy commissioner. (2) Field superintendents' licenses may be obtained by making application to the State dairy commissioner, passing the examination given under his direction, and paying the annual fee of \$5, such licenses being renewable each year on the payment of the annual fee unless canceled because the holder thereof has been found guilty of violating the dairy law or the rules and regulations based thereon.

(D) It shall be unlawful to establish any milk or cream buying stations without first having obtained a station license from the State dairy commissioner. Such license may be obtained by a licensed field superintendent making application accompanied by the annual fee of \$2, such license to be in force for one year, subject to revocation by the State dairy commissioner at any time the station shall be found to be in violation of the provisions of this act or the rules and regulations based hereon.

(E) (1) It shall be unlawful to engage in the milk or cream brokerage business without first having obtained a license from the State dairy commissioner to operate or conduct such business. (2) Milk or cream brokerage permits may be obtained in the same manner and under the same provisions as

those of a dairy manufacturing plant, being subject to the annual license fee of \$10 and the quarterly butterfat tax of 5 cents per 1,000 pounds purchased.

(F) All moneys paid to or received by the State dairy commissioner under the provisions of this act shall be handled through the funds of the State board of agriculture and be paid into the State treasury monthly by the secretary of said board, there to be placed in a separate fund, which is hereby appropriated to the State board of agriculture for the purpose of administering the provisions of this act. Any unexpended balances now in funds available for the dairy division are hereby reappropriated and made a part of above-named fund, and any unexpended balance in said fund at the close of any fiscal year is hereby reappropriated to the State board of agriculture for the ensuing The State auditor is hereby authorized to draw warrants against this separate fund, upon presentation of properly itemized and duly verified vouchers, approved by the secretary of the State board of agriculture.

Sec. 10. Any person, firm, or corporation, and any officer, agent, representa-tive, servant, or employee of such person, firm, or corporation who violates any of the provisions of this act, or any of the rules and regulations based hereon, shall be deemed guilty of a misdemeanor, and his or their permit or license shall be subject to suspension or cancellation by the State dairy commissioner. conviction the offender shall be punished by a fine of not less than \$25 nor

more than \$200 for each offense.

SEC. 11. The State dairy commissioner, by himself or his deputies, shall be

charged with the enforcement of the provisions of this act.

Sec. 12. Nothing in this act shall be construed to prohibit the shipment into this State from a foreign State, and the first sale thereof in this State in the original package intact and unbroken, of any of the products or articles, the manufacture, sale, or exchange of which or possession of which with intent to sell or exchange is prohibited hereby.

SEC. 13. In event that any section, provision, paragraph, or part of this act shall be questioned in any court and shall be held by such court to be invalid, the remainder of the act shall not be invalidated, but shall remain in full force

and effect.

SEC. 14. That chapter 261 of the Session Laws of 1925, and chapter 75, article 14, and chapter 65, article 7, Revised Statutes of 1923, are hereby repealed.

Oysters-Handling and Sale. (Res. Bd. of H., March 25, 1927)

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Whereas owing to the possibility of the contamination by typhoid bacilli in oyster beds receiving sewage, it shall be unlawful to sell, offer for sale, keep, or ship oysters in the State of Kansas except when certified as hereinafter provided and conforming to other rules herein set forth; therefore be it

Resolved, That shellfish known as oysters or Ostrea virginica, contain no added water and not less than 10 per cent of total solid; and be it further

Resolved, That no oysters shall be sold, offered for sale, or kept for sale in the State of Kansas unless such oysters have been certified by the United States Public Health Service, which inspects, certifies, and reports on beds in which such oysters are grown; and be it further

Resolved, That no ice, added water, or other foreign substance shall be allowed in contact with the oysters; that oysters shall be kept at a temperature of 50° F., or lower, but should not be allowed to freeze, and that oysters in bulk

shall be sold only under the following conditions:

(a) When container is opened it shall be done under proper sanitary precautions.

(b) All utensils coming in contact with the oysters shall be sterilized for use in accordance with approved methods.

(c) Containers furnished by the dealer for dispensing to customers shall be clean and sanitary.

(d) The display of oysters in bulk in open cans, windows or show cases, or any other place where they may become contaminated, is prohibited.

(e) Persons handling or dispensing oysters are subject to the same rules and regulations that apply to other food handlers.

Eggs—Candling. (Res. Bd. of H., March 25, 1927)

That the regulations requiring all buyers of eggs, except the consumer, to candle all eggs purchased from May 15 to January 1 be amended to read: "All KANSAS · 317

buyers of eggs, except the consumer, shall candle all eggs purchased the entire year, January 1 to January 1."

Habit-Forming Drugs—Possession, Use, Sale, and Dispensing. (Ch. 241, Act March 2, 1927)

[This act amends sections 65-615 and 65-616 of the Revised Statutes, 1923, to

read as follows:]

[65–615] It shall be unlawful for any person to keep or have in his possession or under his control, for personal use or otherwise, any opium or coca leaves or any compound, salt, derivative, or preparation thereof, and such possession or control shall be presumptive evidence of a violation of this section; or to permit another to have or keep or use any of said drugs on any premises owned or controlled by him, or to sell or give away or furnish any of said drugs to another, except physicians, dentists, veterinary surgeons, registered nurses, or registered pharmacists as hereinafter provided. Any person violating the provisions of this section shall be deemed guilty of a felony and on conviction thereof shall be fined not less than \$500 or more than \$5,000 and shall be imprisoned not less

than one year nor more than seven years in the penitentiary.

[65-616] That it shall be unlawful for any person to sell, barter, exchange, or give away any of the aforesaid drugs, except in pursuace of a written order of the person to whom such article is sold, bartered, exchanged, or given away, on a form to be issued on a blank for that purpose by the Commissioner of Internal Revenue. Any person who shall accept any such order and in pursuance thereof shall sell, barter, exchange, or give away any of the aforesaid drugs shall preserve such order for a period of two years in such a way as to be readily accessible to inspection by any officer, agent, or employee of the Treasury Department of the United States duly authorized for that purpose, and the State, county, and city officials charged with the enforcement of this act. Every person who shall give an order as herein provided to any other person for any of the aforesaid drugs shall at or before the time of giving such order make or cause to be made a duplicate thereof on a form to be issued in blank for that purpose by the Commissioner of Internal Revenue, and in case of the acceptance of such order shall preserve such duplicate for said period of two years in such a way as to be readily accessible to inspection by the officers, agents, employees, and officials hereinbefore mentioned. Nothing contained in this section shall

(a) To the dispensing or distribution of any of the aforesaid drugs to a patient by a physician, dentist, or veterinary surgeon registered under the laws of the State of Kansas in the course of his professional practice only: Provided, That such physician, dentist, or veterinary surgeon shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed, except such as may be dispensed or distributed to a patient upon whom such physician, dentist, or veterinary surgeon shall personally attend; and such record shall be kept for a period of two years from the date of dispensing or distributing such drugs, subject to inspection,

as provided in this act.

(b) To the sale, dispensing, or distribution of any of the aforesaid drugs by a registered pharmacist to a consumer under and in pursuance of a written prescription issued by a physician, dentist, or veterinary surgeon registered under the laws of the State of Kansas: Provided, however, That such prescription shall be dated as of the day on which signed and shall be signed by the physician, dentist, or veterinary surgeon who shall have issued the same: And provided further, That such registered pharmacist shall preserve such prescription for a period of two years from the day on which such prescription is filled in such a way as to be readily accessible to inspection by the officers, agents, employees, and any person violating the provisions of this section shall be deemed guilty of a felony, and on conviction thereof shall be fined not less than \$500 nor more than \$5.000 and imprisoned not less than one year nor more than seven years in the penitentiary.

Peyote, Mescal Button, and Indian Hemp—Planting, Cultivation, Preparation, Sale, Possession, Use, etc. (Ch. 192, Act March 12, 1927)

Section 1. That section 21-2168 of the Revised Statutes of 1923 be amended to read as follows:

Sec. 21-2168. That it shall be unlawful for any person, firm, corporation, or association to plant, cultivate, protect, harvest, cure, prepare, barter, sell, give away, or use, or offer to sell, furnish, or give away, or to have in h s or its possession peyote (pellote), botanically known as Lophophora williamsii; or Agava americana, commonly known as mescal button; or Cannabis indica, Cannabis sativa, commonly called Indian hemp (marihuana); or any drug or preparation made from any species or variety of the botanical genus Cannabis; or any compound, derivative, or preparation of the above-mentioned plants: Provided, That it shall not be unlawful to possess, barter, sell, furnish, or give away the bast fibers alone, or any cloth, cordage, rope, or other materials composed of the bast fibers alone, of either of these plants, provided said bast fibers have been properly retted: Provided, however, That it shall not be unlawful for any licensed pharmacist, physic an, dentist, or veterinary surgeon to have in possession any of said drugs or derivatives of said plants for sale upon written prescription as hereinafter provided, or to sell or use said drugs or derivatives of said plants on the written prescription of a physician, dentist, or veterinary surgeon licensed to practice in this State, or to cultivate the century plant (Agave americana) for ornamental purposes exclusively.

Sec. 2. That original section 21-2168 of the Revised Statutes of 1923 be repealed.

Stream Pollution—Authority of State Board of Health Regarding, Extended. (Ch. 239, Act March 21, 1927)

SECTION 1. The authority of the State board of health in matters of stream pollution, as author.zed under section 65–161 to 65–171, inclusive, of the Revised Statutes of 1923, is hereby supplemented to include stream pollution found to be detrimental to public health or detrimental to the animal or aquatic life of the State.

Sec. 2. It shall be the duty of the attorney general, on presentation by the State board of health of evidence of abatable pollution of the surface waters detrimental to the animal or aquatic life of the State, to take such action as may be necessary to secure the abatement of such pollution.

Sec. 3. The State board of health shall have author ty to appoint or employ such technical advisers as may be necessary in order to carry out the provisions

of this act.

Sewer Systems and Sewage-Disposal Plants—Construction and Maintenance in Certain Counties. (Ch. 165, Act March 19, 1927)

Section 1. That for the purpose of providing for the expenses of storm and sanitary sewerage, and upon presentation of a petition signed by the owners, or others having expressly reserved the right to do so, of 51 per cent or more of the acreage in the sewer district, joint sewer district or tax ng district sought to be created, the board of county commissioners in any county of the State having a population of over 21,000 and less than 70,000 may, by order, provide one or more taxing districts in any county, or divide such county into such number of taxing districts as it may deem best: Provided, That the board of county commissioners shall not have the power to create any such district within, or to extend any district into, the limits of any incorporated city with-

out the consent of the governing body of such city.

Sec. 2. That the board of county commissioners of such county shall have power to divide [sic] one or more systems of storm or sanitary sewerage, or both, for such county, or for any part thereof, with one or more main storm or sanitary sewers, and storm or sanitary sewers, and storm or sanitary sewers by districts, or otherwise, as the board of county commissioners may determine. The board shall have power to employ engineers, or other skilled employees, for the purpose of assisting in planning and superintending the construction of such system of storm or sanitary sewerage. All the costs and expenses of the work provided for in this act shall be assessed against the lots and pieces of ground contained within the district in which the same is situated (exclusive of improvements) and shall be levied and collected as one tax, in addition to the other taxes and assessments, and shall be by the county clerk, when so ordered by the county commissioners, placed upon the tax roll for collection, subject to the same penalties, entitled to the same rebates, and collected in the same

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manner as other taxes: Provided, That where any property has paid, or shall pay its full proportion for general storm or sanitary sewers in one district, it shall not be transferred to another district and thereby be made liable for taxation for storm and sanitary sewers in such other district, except that such land may be included in a joint sewer district for the building of sewers which may serve all the land embraced within said joint sewer district: And provided further, That the board of county commissioners may, in its discretion, provide for the payment of the costs thereof by installments instead of levying the entire tax or special assessment for such cost at one time. No suit to set aside the special assessments herein provided for, or to enjoin the making of the same, shall be brought, nor any defense to the validity thereof be allowed, after the expiration of 30 days from the time when the amount due on each lot or piece of ground liable for such assessment is ascertained.

Sec. 3. In the exercise of the powers herein granted, the board of county commissioners shall have the power to acquire, by purchase or condemnation, such property, both real and personal, as may be necessary to provide an adequate system of sewerage, including the right to discharge sewage into other sewers owned by private individuals, or to enter into contracts with municipal corporations for the use of storm or sanitary sewers already constructed which may be reasonably necessary for the joint use of any city and any district created by the board of county commissioners outside of the limits of any city.

Sec. 4. With the consent of the board of county commissioners private sewers may be built at the expense of the property owners interested in such improvement, and the board of county commissioners shall have the power to purchase and thereafter maintain sewers so privately built, as provided in section 5 of this cet.

SEC. 5. The board of county commissioners shall have power to levy annually a special maintenance tax of not exceeding \$1 on each \$100 of the assessed valuation on the land (exclusive of improvements) within the sewer districts or joint sewer districts, for the purpose of creating a maintenance fund to be used solely for the purpose of maintaining and keeping in repair storm or sanitary sewers in any such sewer districts or joint sewer districts and any disposal plants, pumping stations, pumps, or other apparatus or appurtenances used in connection therewith.

SEC. 6. If the main sewer shall be so located that it will or may receive the storm or sanitary sewage from more than one sewer district, the board of county commissioners shall have power to provide that the cost of such main sewer below a certain designated point shall be divided among the said districts as nearly as possible in proportion to the benefits which the respective districts will eventually receive from the use of the said sewer, and that the proportion of provisions of this section shall apply, shall describe the proposed location of the said main sewer from the said point to the outlet of the same or to the county boundary, and shall state the manner of payment of the cost of the said main sewer by the tributary districts, and shall fix the proportion of the cost to be assessed against each district.

SEC. 7. That the board of county commissioners of any county shall have power to construct and maintain storm or sanitary sewers through, under, across, or along any lot or public highway, and may construct such sewers across any vacant lot upon leaving the same in as good condition as such lot was in before the construction of such sewer.

Sec. 8. That the board of county commissioners of such county shall have the power to construct, reconstruct, enlarge, extend, or otherwise provide for one or more systems of disposal works for the purification of the sewage of the county, or any part thereof, and to build, operate, and maintain such disposal works, and such pumping stations, pumps, or other apparatus, in providing means to handle and dispose of such sewage, as the board of county commissioners may designate. The costs and expenses of building the same shall be borne by the various districts then or thereafter using the same.

SEC. 9. Before any such system of disposal works or pumping plant shall be constructed the plans and specifications therefor shall first be submitted to the department of the board of health of the State of Kansas, and be approved by each department.

by such department.

Sec. 10. When the board of county commissioners in any county having a

population of more than 21,000 and less than 70,000 shall deem it necessary to

³ This section reads so in the session laws.

build, rebuild, or construct or reconstruct any storm or sanitary sewer, disposal plant, pumping station, or other appurtenances necessary for the proper handling of storm or sanitary sewage, for which a special tax is to be levied, such board of county commissioners shall, by resolution, declare such work or improvement necessary to be done, and such resolution shall be published for three consecutive weeks in the official paper of the said county, and if the owners of more than one-half of the property liable for taxation for the building of such sewers, sewer-disposal plants, pumping stations, pumps, and other appurtenances and apparatus used in connection therewith shall not, within 20 days from such last publication, file with the county clerk their protest against such improvement, the board of county commissioners shall have power to cause such sewers, sewer-disposal plants, or pumping stations, and other appurtenances and apparatus used in connection therewith, to be constructed or built, and to contract therefor, and to levy taxes as provided by law, and the work may be deemed proper by the board of county commissioners.

Sec. 11. For the purpose of acquiring any necessary land or rights of way over the same, or any property of any kind which may be necessary for the successful construction and maintenance of such sewerage system, if the board of county commissioners can not agree as to the price to be paid therefor, condemnation proceedings shall be instituted by the board of county commissioners and prosecuted in the name of the county under the provisions of the law in

similar cases.

Sewage-Disposal Works in Certain First-Class Cities—Construction, Operation, and Maintenance Authorized. (Ch. 126, Act March 14, 1927)

Section 1. That the governing body of any city of the first class having a population of more than 50,000 and less than 85,000 inhabitants in this State shall have the power to provide for one or more systems of disposal works for the purification of the sewage of the city or any part thereof, and to build, operate, and maintain such disposal works as the governing body may designate. The cost and expense of building the same shall be borne by the city as a whole, and may be paid out of the general revenue fund; or if the governing body so determine, improvement bonds of the city may be issued therefor and the proceeds from the sale of such bonds to be used in paying for the same: Provided, That such bonds shall not be issued in a sum exceeding \$200.000 in any one year. Sewage-disposal works as used herein includes sewage-disposal plant, necessary sewers, and drains from existing outlets to the plant and from the plant to a creek, ravine, or river where sewage may be drained, necessary pumping plants, force mains, and all appurtenances necessary to construct a complete disposal works for the disposal of sewage.

Sec. 2. That the governing body of any such city may construct sewage-disposal works within the city limits of any city or within 5 miles of the city limits of any such city, and such governing body shall have the power and the authority to construct and maintain sewers and drains, pumps, and other appurtenances thereof, from the corporate limits of said city to any creek, ravine, or river within 5 miles thereof; and shall have the power and authority to construct and maintain sewers, drains, pumps, and other appurtenances thereto from any sewage-disposal plant to connect with any creek, ravine, or river

within 5 miles of such disposal plant.

SEC. 3. The governing body of any such city shall have the power to condemn or acquire by purchase lands for the construction of sewage-disposal plants and lands or any easements therein or rights of way necessary for the construction and maintenance of sewers, drains, pumps, and other appurtenances provided herein: *Provided*, Any person through whose lands such sewers or drains may be constructed or upon whose lands such disposal works may be built, or who would be otherwise damaged, may give his consent thereto in writing, and such writing, without formal acknowledgement, may be recorded in the office of the register of deeds of the proper county, and thenceforth the city shall have the same right to construct such works as though such lands had been formally condemned.

Sec. 4. That all the costs and expenses occasioned by the construction of any such disposal works, including the purchase or condemnation of land therefor and including the purchase or condemnation of land for the construction of sewers, drains, pumps, and other appurtenances within or without the city

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used in connection with such disposal works, shall be borne by the city as a whole and paid out of the general revenue fund or by the issuance of internal improvement bonds. Such bonds shall be issued as provided by law, and shall not be issued in excess of the amount of the improvement, except that installment coupons shall include the interest on such installment to the maturity thereof: *Provided*, That the bonds issued under this act shall not be included in fixing the limit of the bonded indebtedness of the city issuing such bonds.

SEC. 5. That the governing body of such city shall provide for the payment of said bonds and the interest thereon as the same becomes due and payable by the levy of a general tax on all taxable property in such city. And the governing body of any such city is hereby authorized to levy an annual tax on all real, personal, and mixed property in such city to be used exclusively for the purpose of maintaining and operating sewage-disposal works. The revenue derived from such tax shall be kept in a separate fund by the city treasurer and shall be used for no other purpose.

Sec. 6. That chapter 112 of the Session Laws of 1925 and all other acts and parts of acts in conflict herewith be and the same are hereby repealed.

Barber Shops—Closing When Public Health Endangered. State Board of Barber Examiners—Certain Duties of State Board of Health in Connection with Appointment of, Abolished. (Ch. 244, Act March 10, 1927)

[Section 3 of this act amends section 65-1806 of the Revised Statutes, 1923,

by adding the following at the end thereof:]

Provided, however. That whenever said board [State board of barber examiners] shall be of the opinion, after an inspection, that the failure or refusal to properly provide or guard against contagious or infectious disease is at the time of said inspection endangering the public health, then said board shall immediately close the said establishment pending a hearing as provided for in this section.

[Section 4 amends section 74-1801 of the Revised Statutes, 1923, by striking

out the following provisions:]

Each member [of the State board of barber examiners], before being so appointed, shall appear before the State board of health, whose duty it shall be to determine whether or not such proposed member possesses sufficient knowledge of contagious and infectious diseases to enable such member to pass judiciously upon the qualifications of others in the occupation of barber. If such board of health shall reject such proposed appointee, then the governor shall select another in his stead as before. If the appointment be approved by the board, said board shall issue a certificate to that effect, and all appointments made under the provisions of this act shall date from the approval thereof as aforesaid by said board.

Cosmetologists and Manicurists—Applicants for License Must Be Free from Communicable Diseases—Sanitary Inspection of Business—Revocation, Suspension, or Refusal of License. (Ch. 245, Act March 10, 1927)

Sec. 8. * * * such applicant applying therefor [for examination as cosmetologist or manicurist] shall * * * be free from contagious and infectious diseases, * * *.

Sec. 10. Each member of said board of registration is hereby authorized and empowered and constituted inspectors as to the sanitation of the business of cosmetologists, as provided by the rules and regulations of this board and approved by the State board of health, and as hereinafter provided, to wit, that two of the members of said board of registration, exclusive of the secretary of said board, shall do the inspecting of such businesses of the cosmetologists of the State at large. * * *

Sec. 11. The board of registration for cosmetologists shall have the power to revoke any certificate of registration or license provided for by this act, or may refuse to issue, renew, or may suspend any certificate of registration, and may permit the remedying of any of the violations hereinafter mentioned, as in its judgment may be remedied, for any of the following causes, to wit: (a) Failure

⁴ Supplement 59 to Public Health Reports, p. 173.

to comply with the sanitary requirements prescribed by the said board and approved by the State board of health. (b) Habitual drunkenness, drug addiction, * * *

Sec. 12. Any person practicing the occupation of cosmetologist, or any person, firm, or corporation operating a school for teaching such occupation as herein authorized, * * * who fails or refuses to comply with the sanitary rules and regulations prescribed by said board of registration, and as approved by the State board of health of this State, or who violates any of the provisions of this act, shall be deemed guilty of a misdemeanor, and upon conviction therefor shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail for not less than 10 days nor more than 90 days, or by both such fine and imprisonment.

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Communicable Diseases—Reports of Cases—Terms Defined—Isolation—Laboratory Examinations—Quarantine—Removal of Infected Persons and Articles—Interference with Health Authorities Prohibited—Disinfection—Placarding-Control in Institutions-Exposure to-Attendance at Schools and Gatherings—Hospitalization—Carriers—Destruction of Contaminated Articles—Letting of Infected Premises—Duties of Common Carriers During Epidemic—Duties of Undertakers—Funerals. Vaccination—Infants Reregulared — Puties of Chuertakers—Functions vacchiation—Intensity Required to Be Vaccinated—Periodic Revaccination of All Persons Recommended — Employees — Performance — Pupils and Teachers. Smallpox — Hospitalization—Isolation—Vaccination or Quarantine of Contacts. (Reg. Bd. of H., December 12, 1927)

Rule 4. Communicable and reportable diseases designated (sec. 2049).—For the purpose of these rules the term communicable disease shall be held to include the following diseases, which are hereby declared to be communicable through the conveyance of infective organisms:

Actinomycosis.

Acute infectious conjunctivitis.

Anchylostomiasis (hookworm).

Anthrax. Chancroid. Chicken pox.

Cholera. Dengue.

Diphtheria. Dysentery (amœbic).

Dysentery (bacillary). Epidemic (lethargic) encephalitis.

German measles. Glanders. Gonorrhea.

Influenza. Leprosy.

Malaria. Malta fever (Undulant fever).

Measles. Meningococcus meningitis. Mumps.

Paratyphoid fever.

Plague.

Pneumonia (acute lobar).

Poliomyelitis. Rabies.

Rocky Mountain spotted or tick fever.

Scarlet fever. Septic sore throat.

Smallpox. Syphilis. Tetanus. Trachoma. Trichinosis.

Tuberculosis (pulmonary).

Tuberculosis (other than pulmonary).

Tularæmia. Typhoid fever. Typhus fever. Whooping cough. Ye.low fever.

Pellagra, while not proven a communicable disease, is reportable.

Rule 5. Definitions.—The following definitions of terms are adopted for the purposes of these rules and regulations:

(A) Carrier.-A person who, without symptoms of a communicable disease, harbors and disseminates the specific microorganisms.

(B) Cleaning.—This term signifies the removal by scrubbing and washing, as with hot water, soap, and washing soda, of organic matter on which and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

(C) Contact.—A "contact" is any person or animal known to have been sufficiently near to an infected person or animal to have been presumably exposed to transfer of infectious material directly or by articles freshly soiled with such material.

(D) Delousing .- By delousing is meant the process by which a person and his personal apparel are treated so that neither the adults nor the eggs of Pediculus corporis or Pediculus capitis survive.

(E) Disinfection.—By this is meant the destroying of the vitality of patho-

genic microorganisms by chemical or physical means.

When the word concurrent is used as qualifying disinfection, it indicates the application of disinfection immediately after the discharge of infectious material from the body of an infected person, or after the soiling of articles with such infectious discharges, all personal contacts with such discharges or articles being prevented prior to their disinfection.

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When the word terminal is used as qualifying disinfection it indicates the process of renderng the personal clothing and immediate physical environment of the patient free from the possibility of conveying the infection to others, at the time when the patient is no longer a source of infection.

(F) Disinfecting .- By disinfecting is meant any process, such as the use of dry or moist heat, gaseous agents, poisoned food, trapping, etc., by which insects and animals known to be capable of conveying or transmitting infection may be

destroyed.

(G) Education in personal cleanliness.—This phrase is intended to include all the various means available to impress upon all members of the community, young and old, and especially when communicable disease is prevalent or during epidemics, by spoken and printed word, and by illustration and suggestion, the necessity of-

1. Keeping the body clean by sufficiently frequent soap and water baths.

2. Washing hands in soap and water after voiding bowels or bladder and always before eating.

3. Keeping hands and unclean articles, or articles which have been used for toilet purposes by others, away from mouth, nose, eyes, ears, and vagina.

4. Avoiding the use of common or unclean eating, drinking, or toilet articles of any kind, such as towels, handkerchiefs, hairbrushes, drinking cups, pipes, etc. 5. Avoiding close exposure of persons to spray from the nose and mouth, as

in coughing, sneezing, laughing, or talking.

(H) Fumigation.-By fumigation is meant a process by which the destruction of insects as mosquitoes and body lice, and animals, as rats, is accomplished

by the employment of gaseous agents.

(J) Isolation.—By isolation is meant the separating of perons suffering from a communicable disease, or carriers of the infecting organism, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons:

(K) Placards.—For the purpose of these rules and regulations the word

"placard" shall mean that a card at least 7 by 10 inches in size, bearing in large letters the word "quarantine" or "warning" shall be conspicuously placed on or near all doors or entrances leading to and from the quarantine area.

A. Kinds.—One kind of card is used to announce a quarantine and another

to announce a warning.

(1) Quarantine placard.-A quarantine placard shall be a card which shall read essentially as follows:

- County Board of Health QUARANTINE

(Name of disease)

EXISTS ON THESE PREMISES

No one shall enter or leave these premises or remove any article therefrom, except as provided by the rules and regulations of the State and county boards of health. Violation of the rule is punishable by law. The occupants of the house will be held responsible for the unauthorized removal of this card.

Health Officer. By order of _____ County Board of Health.

(a) The quarantine card is to be used in cases of diphtheria, scarlet fever, smallpox, poliomyelitis, cerebrospinal meningitis, cholera, yellow fever, and typhus fever.

(2) Warning placard.—A warning card shall be used which shall read essentially as follows:

- County Board of Health

WARNING

(Name of disease)

EXISTS ON THESE PREMISES

This card establishes an isolation as defined by the State and county boards of health. It is a misdemeanor punishable by law (1) to allow any child susceptible to this disease living in this house to return to school while this placard is posted, or (2) to remove this placard without authority of the local health officer.

Health Officer.

(a) A warning card is to be used on the home in cases of measles, whooping cough, chicken pox, mumps, German measles, influenza, diphtheria carriers, and exposures to a communicable disease.

(b) Purpose.—The local board of health has the responsibility of informing the public where any menace to public health exists. This responsibility is met

by the use of placards announcing such facts to the public.

(c) Responsibility.—The responsibility of putting up and taking down placards rests upon the local boards of health. Any improper use or unauthorized

removal of a placard is punishable by law.

(L) Quarantine.—By quarantine is meant the limitation of freedom of movement of persons or animals who have been exposed to communicable disease for a period of time equal to the longest usual incubation period of the disease to which they have been exposed.

(M) Renovation.—By renovation is meant, in addition to cleansing, such treatment of the walls, floors, and ceiling of rooms or houses as may be neces-

sary to place the premises in a satisfactory sanitary condition.

(N) Report of a disease.—By report of a disease is meant the notification to the county or city health officer, and, in the case of communicable disease in animals, also to the livestock sanitary board which have immediate jurisdiction, that a case of communicable disease exists in a specified person or animal at a given address.

(O) Susceptible.—A susceptible is a person or animal who is not known to have become immune to the particular communicable disease in question by

natural or artificial process.

RULE 6. Period of isolation.—The period of isolation, within the meaning of these rules, shall be as follows:

(A) Chicken pox, until the crusts have fallen and the scars are completely healed.

(B) Cholera, until after three vibro negative reports of the stools examined

on three days out of a period of not less than five days.

(C) Diphtheria, membranous croup, until two successive negative cultures have been obtained from the nose and throat at intervals of not less than 24 hours, the first of such cultures being taken not less than nine days from the day of the onset of the disease.

(D) Epidemic cerebrospinal meningitis, until two weeks after the temperature has become normal or until three successive cultures obtained from the nasopharynx at intervals of not less than five days shall be found free of meninger.

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(E) Influenza, until temperature has remained normal for 48 hours.

(F) Measles, until at least five days after the appearance of the rash, or with cessation of all abnormal mucous secretions.

(G) Mumps, until the swelling has completely disappeared.

(H) Poliomyelitis, acute anterior or infantile paralysis, until three weeks from the day of the onset of the disease.

(J) Scarlet fever, until all discharges from the nose, ears, and throat or

suppurating glands have ceased.

- (K) Septic sore throat, until one negative culture from the nasopharynx shall have been obtained.
- (L) Smallpox, until the crusts have all separated and the scars completely healed.
- (M) Typhoid or paratyphoid fever, until all signs of the disease, or all secondary or complicating infections incited by the agents of these diseases, have disappeared, and until two successive specimens of the intestinal discharges of the patient have been taken at an interval of not less than 24 hours and have been examined in State health laboratories or another laboratory approved by the State board of health and found to be free from typhoid or paratyphoid bacilli.

(N) Whooping cough, until four weeks after the onset of the cough.

RULE 7. Communicable disease to be reported by physicians and heads of families (sec. 2055a).—Any person who treats or examines a sick person in any county in Kentucky and who makes a diagnosis of, or has reasonable grounds for suspecting the existence of, any one of the diseases named in rule 4 shall report the same to the county or city health officer within whose jurisdiction the case occurs, and, where a physician is not called, the head of the family shall make said report, and any head of a family who wilfully fails or refuses, or any physician who shall fail or refuse to report to the local board of health any

case of any of the above-named diseases, shall be fined not less than \$10 nor more than \$100 for each day he neglects or refuses to report, and repeated failure to report as herein provided, including reports of births and deaths, shall be sufficient cause for the revocation of a physician's certificate to practice medicine in this Commonwealth. It shall be the duty of every health officer, if he ascertains that a physician has failed to report a case of communicable disease, to inform the physician of his failure to conform with the law, and to report to the State board of health the name of every physician failing to report cases of communicable diseases.

Rule 8. Method of reporting diseases.—The report of the existence of any of the diseases named in rule 4 shall be telephoned immediately upon discovery of any of the diseases named to the local county or city board of health, but in all cases the report shall be confirmed by mail on special blank cards not requiring postage and furnished by local county or city board of health. Each such report for each case shall include the following facts: Date, name of disease, patient's name, address, age, sex, color, school, and teacher, if any, place of employment, name, and address of the physician or other person making the report

Rule 9. Imperative duties of physicians, midwives, and nurses (sec. 2055a-2062b-3).—Whenever a person is known, or is suspected, to be afflicted with a reportable and notifiable disease, or whenever the eyes of an infant under 2 weeks of age become reddened, inflamed, or swollen, or contain an unnatural discharge, and no physician is in attendance, an immediate report of the existence of the case shall be made to the local health officer by the midwife, nurse, attendant, or other person in charge of the person.

Rule 10. Duty of teachers (sec. 2055a).—Teachers, or other persons employed in, or in charge of, public or private schools, shall report immediately to the local health officer each and every known or suspected case of a notifiable disease in persons attending or employed in their respective school; provided, the local health officer shall furnish such teacher or other person with blanks for mailing, which shall not require the expediture of money for postage. These reports shall be made in accordance with rule 8. A child suspected of having a communicable disease shall be at once sent home or isolated.

Rule 11. Reports and duties of county health officers (sec. 2055).—The written reports of the cases of notifiable and reportable diseases required by the statutes and these rules and regulations of physicians shall be made upon blanks supplied for the purpose, through the local health authorities, by the State board of health. These blanks shall conform, in general, to those adopted and approved by the State and Territorial health authorities in conference with the United States Public Health Service. Each county or city health officer shall mail to the State board of health in an addressed envelope, which shall be furnished him for the purpose, all original reports received by him at the close of business on each and every Saturday, and at the proper place on each said report he shall note what measures were taken to prevent the spread or occurrence of additional cases. Each violation of these rules which becomes known to the health officer of any city or county shall be brought to the attention of the county attorney having jurisdiction, with the request to prosecute the same

Rule 12. Reporting cases of communicable disease in institutions (sec. 2055a).—It shall be the duty of the superintendent or person in charge of every hospital, other institution, or dispensary, to report to the local health officer, within whose jurisdiction any such hospital, other institution, or dispensary is located, the full name, age, and address of every person under his charge affected with a communicable disease, together with the name of the disease, and the name and address of the person or organization in whose care the case was, immediately prior to admission or by whom the case referred, within 24 hours from the time when the case first develops or is first admitted to such hospital, other institution, or dispensary. Report shall be made in accordance with rule 8.

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Rule 13. Reporting cases of disease presumably communicable in hotels, boarding and lodging houses, (sec. 2055a).—When no physician is in attendance, it shall be the duty of the proprietor or keeper of any hotel, boarding house, or lodging house, to report forthwith to the local health officer all facts relating to the illness and physical condition of any person in any private household, hotel, boarding house, or lodging house, under his charge, who appears to be affected with any disease presumably communicable, together with the name of such person.

Rule 14. Reporting cases of disease presumably communicable by nurses and persons in charge of camps or health resorts, (sec. 2055a).—It shall be the duty of every visiting nurse and public-health nurse and of the person in charge of any health resort or labor, tourist, or other camp, having knowledge of any person affected with any disease presumably communicable, who by reason of the danger to others seems to require the attention of the public-health authorities, to report at once to the local health officer, within whose jurisdiction such case occurs, all facts relating to the illness and physical condition of such affected person.

RULE 15. Reporting cases of disease presumably communicable on vessels' (sec. 2055a).—It shall be the duty of the master or person in charge of any vessel lying within the jurisdiction of the State to report or cause to be reported immediately to the local health officer having jurisdiction at such ports or landings, all facts relating to the illness and physical condition of any person in or on such vessel affected with any disease presumably communicable,

together with the name of such affected person.

Rule 16. Reporting cases of communicable disease on dairy farms by physicians (sec. 2055a-2060b-10).—When a case of Asiatic cholera, diphtheria, amoebic or bacillary dysentery, epidemic cerebrospinal meningitis, epidemic or septic sore throat, paratyphoid fever, poliomyelitis, scarlet fever, measles, smallpox, or typhoid fever exists on any farm or dairy producing milk, cream, butter, or other dairy products for sale, it shall be the duty of the physician in attendance to report immediately to the local health officer the existence on such farm or dairy of such case. It shall be the duty of the health officer to report immediately to the State board of health, by telephone or telegraph, the existence on such farm or dairy of such case, together with all facts as to the isolation of such case, and giving the name of the localities to which such dairy products are delivered.

RULE 17. Reporting cases of disease presumably communicable on dairy farms by owner or person in charge (sec. 2055a-2060b-10.)—When no physician is in attendance, it shall be the duty of the owner or person in charge of any farm, or dairy producing milk, cream, butter, cheese, or other food products likely to be consumed raw, to report forthwith to the local health officer the name and address and all facts relating to the illness and physical condition of any person who is affected with any disease presumably communicable, and who is employed or resides on or in such farm or dairy, or comes in contact

in any way therewith or with its products.

RULE 18. Diphtheria; material for cultures to be submitted (sec. 2049).—In every case of illness which there is reason to suspect is diphtheria, it shall be the duty of the attending physician or, if the local health authorities so require, of the health officer promptly to take material for cultures from the throat of the suspected person and submit the same for examination to a State, county, or municipal bacteriological laboratory, or to a laboratory approved by the

State board of health.

RULE 19. Typhoid or paratyphoid fever; samples of blood to be submitted (sec. 2049).—In every case of illness which there is no reason to suspect may be typhoid or paratyphoid fever it shall be the duty of the attending physician to take a sample of the blood of the suspected person and submit the same for an agglutination test to a State, county, or municipal bacteriological laboratory or to a laboratory approved by the State board of health. No typhoid fever patient shall be deemed to be free from infection and shall not be released from isolation until two successive negative cultures of stool and urine specimen collected not less than 24 hours apart have been submitted and analyzed by a laboratory approved by the State board of health.

RULE 20. Isolation of persons affected with communicable diseases (sec. 2049).—It shall be the duty of every physician, immediately upon discovering a case of communicable disease, to secure such isolation of the patient, or to take such other action, as is required by the special rules and regulations which from time to time may be issued by the local health authorities or by the

State board of health.

Rule 21. Adults not to be quarantined in certain cases (sec. 2049).—When a person affected with a communicable disease is properly isolated on the premises, except in cases of smallpox, adult members of the family or household, who do not come in contact with the patient or with his secretions or excretions, with the approval of the county board of health may continue their usual vocations, provided such vocations do not bring them in close contact with children, nor require that they handle food or food products intended for sale.

RULE 22. Removal of cases of communicable disease (sec. 2049).—After isolation by the local board of health no person, without permission from it, shall carry, remove, or cause or permit to be carried or removed from any room, building, or vessel any person affected with diphtheria, scarlet fever,

smallpox, or typhus fever.

Without permission from the board of health no person shall carry, remove, or cause or permit to be carried or removed from or to any hotel, boarding house, lodging house, or other dwelling, any person affected with chicken pox, diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, mumps, poliomyelitis or infantile paralysis, scarlet fever, smallpox, typhus fever, influenza, or whooping cough. Without permission from the local board of health no master of any vessel or other person shall remove or aid in removing, or permit the removal, from any such vessel to the shore of any person affected with any communicable disease.

Rule 23. Removal of articles contaminated with infective material (sec. 2049).—Without instruction from the health officer no person shall carry, remove, or cause or permit to be carried or removed from any room, building, or vessel any article which has been subject to contamination with infective material through contact with any person or with the secretions of any person affected with Asiatic cholera, diphtheria, scarlet fever, smallpox, typhoid fever, influenza, pneumonia, or typhus fever, until such article has been disinfected

according to requirements of the health officer.

Without permission of the local board of health no master of any vessel or other person shall remove or aid in removing or permit the removal from any such vessel to the shore of any article which has been subject to contamination with infective material through contact with any person or with the secretions of any person affected with Asiatic cholera, diphtheria, scarlet fever, smallpox,

typhoid fever, or typhus fever.

Rule 24. Right of entrance and inspection (sec. 2049-2059-3-2060a-7-2060b-11).—No person shall interfere with or obstruct the entrance to any house, building, or vessel by any inspector or officer of the State or local health authorities in the discharge of his official duties, nor shall any person interfere with or obstruct the inspection or examination of any occupant of any such house, building, or vessel by any inspector or officer of the State or local health

authorities in the discharge of his official duties.

RULE 25. Instructions as to disinfection of excreta in Asiatic cholera, dysentery, paratyphoid fever, and typhoid fever (sec. 2049).—It shall be the duty of the physician in attendance on any case suspected by him to be Asiatic cholera, dysentery, paratyphoid fever, or typhoid fever to give detailed instructions the nurse or other person in attendance in regard to the disinfection and disposal of the excreta. Such instructions shall be given on any suspected case and shall conform to requirements of the health officer. It shall be the duty of the nurse or person in attendance to carry out the disinfection in detail

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until its discontinuance is permitted by the local health officer.

Rule 26. Instructions as to disinfection of discharges in diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, poliomyelitis or infantile paralysis, scarlet fever, smallpox, whooping cough, influenza, and pneumonia (sec. 2049).—It shall be the duty of the physician in attendance on any case suspected by him to be diphtheria, epidemic cerebrospinal meningitis, epidemic or septic sore throat, measles, poliomyelitis or infantile paralysis, scarlet fever, smallpox, whooping cough, influenza, and pneumonia to give detailed instructions to the nurse or other person in attendance in regard to the disinfection and disposal of the discharges from the nose, mouth, and ears of the patient. Such instructions shall be given any suspected cases and shall conform to the requirements of the health officer. It shall be the duty of the nurse or person in attendance to carry out the disinfection in detail until its discontinuance is permitted by the local health officer.

RULE 27. Interference with placards (sec. 2049).—No person shall interfere with or obstruct the posting of any placard by any health authority in or on any place or premises, nor shall any person conceal, mutilate, or tear down any such placard, except by permission of the health authority. In the event of such placard being concealed, mutilated, or torn down, it shall be the duty of the occupant of the premises concerned immediately to notify the local

health officer.

RULE 28. Preventing the spread of communicable diseases in institutions (sec. 2049).—It shall be the duty of the superintendent or person in charge of any

hospital or other institution, or dispensary, in which there is a person affected with any communicable disease, to take such steps as will, so far as practicable, prevent the spread of infection and trace its original source.

RULE 29. Isolated wards required for institutions for children (sec. 2049).— Every institution for children, in which 20 or more children sleep, shall be provided with at least one isolation ward, or room or apartment or tent, so related to the rest of the building as to make proper isolation therein practicable.

Rule 30. Exposure of persons affected with communicable diseases (sec. 2049).—No person shall permit any child, minor or other person under his charge, affected with chicken pox, cholera, cerebrospinal meningitis (epidemic), diphtheria, influenza, measles, pneumonia (acute lobar, bronchial), poliomyelitis, scarlet fever, smallpox, sore throat (epidemic, streptococcic or septic), whooping cough, mumps, to associate with others than his attendants.

No person affected with any of said diseases shall expose himself in such manner as to cause or contribute to, promote or render liable their spread.

Rule 31. Needless exposure to communicable disease forbidden (sec. 2049).—
No person shall expose or permit the visiting, association, or contact of any child, minor, or other person under his charge with any person affected with influenza, chicken pox, cholera, cerebrospinal meningitis (epidemic), diphtheria, measles, pneumonia (acute lobar, bronchial), poliomyelitis, scarlet fever, smallpox, sore throat (epidemic, streptococcic or septic), whooping cough, mumps.

RULE 32. Exclusion from school of cases of disease presumably communicable (sec. 2049).—It shall be the duty of the principal or other person in charge of any public, private, or Sunday school to exclude therefrom any child or other person affected with a disease presumably communicable until such child or other person shall have presented a certificate issued by the health officer, or by the attending physician and countersigned by the health officer, stating that

such child or other person is not liable to convey infective material.

RULE 33. Exclusion from schools and gatherings of cases of certain communicable diseases (sec. 2049).—No person affected with chicken pox, diphtheria, epidemic cerebrospinal meningitis, influenza, epidemic or septic sore throat, German measles, measles, mumps, poliomyelitis or infantile paralysis, scarlet fever, smallpox, trachoma, or whooping cough, shall attend or be permitted to attend any public, private, or Sunday school, or any public or private gathering. Such exclusion shall be for such time and under such conditions as may be prescribed by the local board of health, not inconsistent with the provisions of the rules of the State board of health.

Rule 34. Exclusion from schools and gatherings of children of households where certain communicable diseases exist (sec. 2049).—Every child who is an inmate of a household in which there is, or has been within 15 days, a case of chicken pox, cholera, cerebrospinal meningitis (epidemic), diphtheria, influenza, measles, pneumonia (acute lobar, bronchial), poliomyelitis, scarlet fever, smallpox, sore throat (epidemic, streptococcic or septic), whooping cough, mumps, shall be excluded from every public or private or Sunday school, and from every public or private gathering of children for such time and under such conditions as may be prescribed by the local board of health, not inconsistent with the rules of the State board of health.

Rule 35. Compulsory vaccination (sec. 4609).—Every child shall be vaccinated before it becomes one year of age, and this board recommends that all persons

be revaccinated as often as once in five years.

RULE 36. Employment of unvaccinated persons unlawful (secs. 4608-4610).—All corporations, partnerships, companies, or persons within the jurisdiction of this board shall require each employee for any kind of service to be vaccinated previous to employment, unless proof is furnished of successful vaccination within five years or that the employee has had smallpox, and anyone employing a person in violation of this rule shall be guilty of a separate offense for each day that such employee shall be sick with smallpox, and liable for the cost of his maintenance. Every person in Kentucky is required by law to be vaccinated. This rule is to provide that no one violating the statute shall be employed.

Rule 37. Vaccination to be done by physicians with all aseptic care (sec. 4613).—Vaccination, a very important procedure, should be done by a competent physician with the cleanliness and aseptic precautions observed in all surgical operations, at three points an inch and a half apart on a clean arm; should dry for 30 minutes, and be left open; no so-called shields of any kind should

ever be used.

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Rule 38. Isolation or removal of smallpox (secs. 2049-4615-4616).—It shall be the duty of every board of health, in its discretion, whenever a case of smallpox occurs in its jurisdiction, if a suitable isolation hospital is available, to remove or cause to be removed such case promptly thereto. Every inmate of the household where such case occurs, and every person who has had contact with such case, or with his secretions or excretions, shall be either vaccinated within three days of his first exposure to the disease or placed under quarantine, and, when vaccinated, the name and address of such inmate or other person shall be taken and such inmate or other person shall be kept under daily observation. Such observation shall continue until successful vaccination results, or for at least 20 days. If such inmate or other person refuse to be vaccinated, he shall be quarantined until discharged by the local board of health. If there is no isolation hospital available, the patient shall be isolated and every inmate of the household shall be vaccinated or strictly quarantined until discharged by the local board of health.

Whenever a case of smallpox occurs in its jurisdiction, it shall be the duty of the local board of health to use all diligence in securing the names and addresses of all persons who have had contact with such case and in causing

such persons to be either vaccinated or placed under quarantine.

Rule 39. Unvaccinated persons excluded from schools (sec. 2049).—No person shall become a member of any public or private school within the jurisdiction of this board, as teacher or scholar, without furnishing a certificate from some reputable physician that he or she has been successfully vaccinated and

has been revaccinated at least once each seven years.

Rule 40. Removal to hospital or isolation and restriction of visiting in certain cases (sec. 2049).—It shall be the duty of the local board of health to remove, or cause to be removed, every case of chicken pox, cholera, cerebrospinal meningitis (epidemic), diphtheria, influenza, measles, pneumonia (acute lobar, bronchial), poliomyelitis, scarlet fever, smallpox, sore throat (epidemic, streptococic or septic), whooping cough, mumps, promptly to a suitable hospital, or to see that such case is properly isolated. Such isolation shall be maintained until its discontinuance is permitted by the local board of health. See rule 33 and rule 34.

RULE 41. Quarantine in certain emergencies (sec. 2049).—When any case of diphtheria, chicken pox, cholera, cerebrospinal meningitis (epidemic), influenza, measles, pneumonia (acute lobar, bronchial), poliomyelitis, scarlet fever, smallpox, sore throat (epidemic, streptococcic, or septic), whooping cough, mumps is not or can not be properly isolated on the premises and can not be removed to a suitable isolation hospital, it shall be the duty of the local board of health to forbid any member of the household from leaving the premises, except under such conditions as provided in these rules.

Rule 42. Carriers of disease germs (sec. 2049).—Any person who is a carrier of the disease germs of Asiatic cholera, bacillary dysentery, diphtheria, epidemic cerebrospinal meningitis, poliomyelitis or infantile paralysis, or typhoid or paratyphoid fever, shall be subject to the special supervision of the State board of health, and every physician and health officer shall report such

carriers immediately to the State board of health.

Rule 43. Destruction of furniture, clothing, and other articles (sec. 2049).—Furniture, bedding, clothing, carpets, rugs, and other articles which may have been contaminated with infective material from any case of diphtheria, scarlet fever, or smallpox, and which are of such a nature or in such condition that they can not, in the opinion of the local board of health, be properly cleansed, disinfected, or sterilized, shall upon its order be destroyed in the manner designated by the board.

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RULE 44. Cleansing and disinfection of the person (sec. 2049).—It shall be the duty of the patient, upon convalescense or recovery from any communicable disease, and of the nurse or persons in attendance on such case, throughout the course of the disease, as well as at its close, suitably to cleanse and, when necessary, to disinfect their persons in accordance with the manner prescribed

by the local board of health.

Rule 45. Letting of rooms forbidden while contaminated with infective material (secs. 2049, 2059a-8).—No proprietor of a hotel, boarding house, or lodging house shall let for hire or cause or permit anyone to occupy a room or apartment previously occupied by a person affected with influenza, pneumonia, diphtheria,

epidemic cerebrospinal meningitis, measles, poliomyelitis, or infantile paralysis, scarlet fever, smallpox, tuberculosis, or typhus fever, until such room or apartment has been cleased, renovated, or disinfected, under the direction of the

local health officer.

RULE 46. Duties of common carriers during epidemics (sec. 2049).—Whenever the State board of health shall make public declaration of the existence of an epidemic of a communicable disease in any municipality, and shall notify the local board of health of such declaration the State board of health may declare, and its declaration shall have the force and effect of law, that no common carrier shall receive or admit any person for carriage or transportation in such municipality except upon the presentation and surrender to the agent, conductor, or other person in charge of the conveyance in which such person desires to travel of a certificate by the local board of health to the effect that such person is, in the opinion of the officer issuing the same, free from the disease then epidemic, and that such person may be received and carried without danger to the general public health, and giving in plain, legible writing the name, residence, and place of destination of such person; and said declaration may further provide that no person shall board or enter any such conveyance without such certificate.

Such certificate shall be filed in the office of the State board of health by the common carrier receiving the same 36 hours after the receipt thereof.

The provisions of this regulation shall not apply to common carriers carry-

ing passengers wholly within the limits of the municipality affected.

RULE 47. Placarding by common carriers (sec. 2049).—When the declarations are made as provided in the preceding regulations, and a common carrier of passengers or an officer or agent thereof is notified by the State board of health or by the local board of such declaration, it shall be the duty of such common carrier of passengers operating public conveyances in any such municipality to forthwith conspicuously place or post in every station, within such area as the State board of health may designate, and in every conveyance the placard hereinafter described, and to keep the same posted until the epidemic is declared ended by the State board of health:

WARNING

There is an outbreak of _____ in ____ (Give name of the disease and of city, town, or village.)

Passengers are cautioned

STATE BOARD OF HEALTH.

Said placard shall be in heavy block letters in red ink on a white background, with each letter not less than 2 inches in height and 11/2 inches in width, and shall be posted so that the same shall be in plain view of passengers when they are seated.

Any common carrier aforesaid entering any such municipality shall post such placard in such conveyance in the manner aforesaid at least one hour before arriving in any municipality in which an epidemic is declared to exist, and shall keep the same posted not less than half an hour after departing therefrom.

RULE 48. Duties of undertakers (sec. 2049).—It shall be the duty of every undertaker taking charge of the preparation for burial of the body of any person to ascertain whether such person died of a communicable disease and if such person died of Asiatic cholera, diphtheria, epidemic cerebrospinal meningitis, glanders, plague, scarlet fever, smallpox, or typhus fever it shall be his duty to cause it immediately to be wrapped in a sheet saturated with disinfecting solution and promptly thereafter placed in a coffin or casket, which shall then be immediately and permanently closed. This regulation shall not be construed to prohibit the embalming of any such body, but the undertaker shall cause such embalming to be done immediately upon taking charge of the body, except that when a permit for embalming is required this shall not proceed until the receipt of such permit. But immediately after the embalming he shall cause such body to be wrapped in a sheet and placed in a coffin or casket as hereinabove directed.

After handling, embalming, or preparing for burial the body of a person dead of any of the communicable diseases enumerated in this rule, such parts of the person's garments and utensils or other articles of the undertaker or his assistants, as may have been liable to contamination with infective material, shall be immediately cleaned or disinfected or sterilized according to require-

ments of the local board of health.

Rule 49. Public funerals forbidden in certain cases (sec. 2049).—A public church funeral shall not be held of any person who has died of diphtheria, measles, scarlet fever, smallpox, typhus fever, or poliomyelitis, unless the body is inclosed in a properly sealed casket, and the consent of the local health officer has first been obtained.

Venereal Diseases—Reports of Cases—Instructions and Circular of Information to be given Patient—Investigation—Examination of Suspected Cases—Laboratory Examinations—Quarantine—Treatment—Sale of Medicine—Exposure of Others by Infected Person Unlawful—Repression of Prostitution—Issuance of Certificates Showing Freedom from Infection—Information and Reports Confidential, (Reg. Bd. of H., December 12, 1927)

Rule 50. Venercal diseases to be reported (sec. 2055a).—Any physician or other person who makes a diagnosis in, or treats, a case of syphilis, gonorrhea, or chancroid, and every superintendent or manager of a hospital, dispensary, or charitable or penal institution, in which there is a case of venereal disease, shall report such case immediately in writing to the local health officer, stating the name and address or the office number, age, sex, color, and occupation of the diseased person, and the date of onset of the disease, and the probable source of the infection, provided, that the name and address of the diseased person need not be stated except in a sealed envelope, and sent to the local health officer, who shall report weekly on the prescribed form to the State board of health all cases reported to him.

RULE 51. Patients to be given information (sec. 2052).—It shall be the duty of every physician and of every other person who examines or treats a person baving syphilis, gonorrhea, or chancroid, to instruct him in measures for preventing the spread of such disease, and inform him of the necessity for treatment until cured, and to hand him a copy of the circular of information

obtainable for this purpose from the State or county board of health.

Rule 52. Investigation of cases (sec. 2049).—All city, county, and other local boards of health shall use every available means to ascertain the existence of, and to investigate, all cases of syphilis, gonorrhea, and chancroid within their several territorial jurisdictions, and to ascertain the sources of such infections. Local health officers are hereby empowered and directed to make such examinations of persons reasonably suspected of having syphilis, gonorrhea, or chancroid, as may be necessary for carrying out these rules. Owing to the prevalence of such diseases among prostitutes and persons associated with them, all such persons are to be considered within the above class.

RULE 53. Submitting specimens for laboratory examination in cases of syphilis, gonorrhea, and chancroid (sec. 2054a-12).—It shall be the duty of every physician to submit promptly to the laboratory of the State board of health or to a laboratory approved by such board for this purpose such specimens for laboratory examination as are deemed necessary, from every person affected with syphilis, gonorrhea, or chancroid, or from any person in whom

suspicion of such disease exists.

RULE 54. Protection of others from infection by venereally diseased persons (sec. 2049).—Upon receipt of a report of a case of venereal disease it shall be the duty of the local board of health to institute measures for the protection

of other persons from infection by such venereally diseased person.

a. Local boards of health are authorized and directed to quarantine persons who have or are reasonably suspected to have syphilis, gonorrhea, or chancroid whenever, in the opinion of the said local board of health or the State board of health or its secretary, quarantine is necessary for the protection of the public health. In establishing quarantine the local board of health shall designate and define the limits of the area in which the person known to have or reasonably suspected to [s'c] having syphilis, gonorrhea, or chancroid and his immediate attendant are to be quarantined and no persons other than the attending physician shall enter or leave the area of quarantine without the

permission of the local board of health. No one but the local board of health shall terminate said quarantine, and this shall not be done until the diseased person has become noninfectious, as determined by the local health officer or nis authorized deputy through the clinical examination and all necessary laboratory tests, or until permission has been given him so to do by the State board of health or its secretary. (See form Writ of Quarantine.)

b. The local health officer shall inform all persons who are about to be released from quarantine for venereal diseases, in case they are not cured, what further treatment should be taken to complete their cure. Any person not cured before release from quarantine shall be required to sign the form

* * * [in rule 62].

All persons signing this form shall observe its provisions and any failure so to do shall be a violation of these rules. All such agreements shall be filed with the health officer and kept inaccessible to the public as provided in rule 60.

RULE 55. Conditions under which the name of a patient is required to be reported (sec. 2055a).—a. When a person applies to a physician or other person for the diagnosis or treatment of syphilis, gonorrhea, or chancroid, it shall be the duty of the physician or person consulted to inquire of and ascertain from the person seeking such treatment or diagnosis whether such person has theretofore consulted with or has been treated by any other physician or person last consulted. It shall be the duty of the applicant for diagnosis or treatment to furnish this information and a refusal to do so or a falsification of the name and address of such physician or person consulted by such applicant shan be deemed a violation of these rules. It shall be the duty of the physician or other person whom the applicant consults to notify the physician or other person last consulted of the change of advisers. Should the physician or person previously consulted fail to receive such notice within 10 days after the last date upon which the patient was instructed by him to appear, it shall be the duty of such physician or person to report to the local health officer the name and address of such venereally diseased person.

b. If an attending physician or other person knows or has good reason to suspect that a person having syphilis, gonorrhea, or chancroid is so conducting himself or herself as to expose other persons to infection, or is about to so conduct himself or herself, he shall notify the local health officer of the name

and address of the diseased person and the essential facts in the case.

Rule 56. Druggists forbidden to prescribe for venereal diseases (sec. 2612).—No druggist or other person not a physician licensed under the laws of the State shall prescribe or recommend to any person any drugs, medicines, or other substances to be used for the cure or alleviation of gonorrhea, syphilis, or chancroid, or shall compound any drugs or medicines for said purpose from any written formula or order not written for the person for whom the drugs or medicines are compounded and not signed by a physician licensed under the laws of the State.

Rule 57. Spread of venereal disease unlawful (sec. 2049).—It shall be a violation of these rules for any infected person knowingly to expose another person to infection with any of the said venereal diseases or for any person to perform an act which exposes another person to infection with venereal diseases.

RULE 58. Prostitution to be repressed (sec 3941m-1).—Prostitution is hereby declared to be a prolific source of syphilis, gonorrhea, and chancroid, and the repression of prostitution is declared to be a public health measure. All local and State health officers are therefore directed to cooperate with the proper officials whose duty it is to enforce laws directed against prostitution and otherwise to use every proper means for the repression of prostitution.

RULE 59. Giving certificates of freedom from venereal diseases prohibited (sec. 2049).—Physicians, health officers, and all other persons are prohibited from issuing certificates of freedom from venereal disease, provided this rule shall not prevent the issuance of necessary statements [of freedom] from infectious diseases written in such form or given under such safeguards that their use in

solicitation for sexual intercourse would be impossible.

Rule 60. Records to be kept secret (sec. 2049).—All information and reports concerning persons infected with venereal diseases shall be inaccessible to the public except in so far as publicity may attend the performance of the duties imposed by these regulations and by the laws of the State.

Rule 61. Writ of quarantine for venereal cases .------County, Kentucky WRIT OF QUARANTINE From the health officer of Kentucky, to any sheriff, constable, coroner, marshal, or policeman in this State: It appearing that there are reasonable grounds for believing that is suffering with a venereal disease, you are therefore commanded forthwith to arrest and deliver (him) or (her) to the County, Kentucky, together with this writ and return thereon. Given under my hand as health officer Kentucky, this Kentucky, this Health officer. Kentucky. Executed the within writ of quarantine this ______ day of _______,

by arresting ______ and delivering (him) or (her) to

county as directed. 19____ by arresting _____ (Title of officer) County, Kentucky 1 WRIT OF QUARANTINE Health officer. Kentucky. Rule 62. Form of agreement of venereal cases .-Biologic Products-Keeping at Certain Temperature-Marking Products Kept

at Higher Temperature. (Reg. Bd. of H., December 12, 1927)

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RULE 91. Regulations regarding the storage of biologicals (sec. 2060a) .-All vaccines, virus, and serums recognized as official by the tenth edition of the United States Pharmacopæia shall be kept until used at a temperature between 4.5° C. and 20° C., preferably at the lower limit as indicated in the United States Pharmacopæia, tenth edition (approximately 40° F. to 68° F.). All vaccines, virus, and seriums official in the United States Pharmacopæia, tenth edition, found on inspection to be kept at a higher temperature than that required in the Pharmocopœia, tenth edition, shall be deemed to be adulterated and unfit for usage and shall be stamped or marked plainly on the label by an authorized drug inspector with the words "not stored at required temperature," together with the date of inspection and the initials of the inspector.

¹ Reverse side of writ of quarantine.

Local Health Officers-Appointment, Duties, and Compensation-Sanitary Surveys by. (Reg. Bd. of H., December 12, 1927)

RULE 1. Election and duty of county health officer (sec. 2054a-10).-Each local board of health, county or city, shall elect a competent physician as the health officer of the territory under its jurisdiction, and he shall, by such election, become secretary of such board. The name and post-office address of such officer shall at once be sent by him to the State board of health. Such officer shall enforce the rules of the State board of health and his own board; he shall keep a correct report of its proceedings, and of his official acts, in a book provided by the local board for that purpose; he shall report quarterly and at such times as may be required by the State board of health, and perform such other duties as may be required by his own or the State board. Local boards of health shall, in writing, recommend to their respective fiscal courts and councils the value of the services of the health officer, to be paid under section 2054a-1 of the statutes.

RULE 2. Sanitary surveys and care of public buildings (sec. 2054a-13).—The health officer shall, upon request of the State board of health, make a sanitary survey of the territory under his jurisdiction, for the purpose of ascertaining the existence of conditions detrimental to health, including in such survey, swamp lands, stagnant ponds, collections of manure, imperfect drainage, sewerage, cesspools and privies; the construction, ventilation and drainage of public buildings, schoolhouses, prisons, hospitals, eleemosynary institutions, and such nuisances as might prove detrimental to the public health, and shall take

proper steps to secure the abatement of such nuisance or conditions.

Milk and Milk Products-Production, Handling, and Sale. (Reg. Bd. of H., December 12, 1927)

RULE 92. Definitions (sec. 2060-8).—The following definitions shall apply in the interpretation and the enforcement of the food and drug law (sec. 2060 of the Kentucky Statutes) and the food sanitation act (sec. 2060b of the Kentucky Statutes) as relates to milk and milk products and inspection of dairies

and milk plants.

(a) Milk.—Milk is hereby defined as to be the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than $8\frac{1}{2}$ per cent of solids not fat and not less than $3\frac{1}{4}$ per cent of milk fat.

(b) Milk fat or butter fat.—Milk fat or butter fat is the fat of milk and has a Reichert-Meissel number of not less than 24 and a specific gravity of not less

than 0.905 (40° C./40° C.).
(c) Cream.—Cream, sweet cream, is that portion of milk, rich in milk fat, which rises to the surface of milk on standing or is separated from it by centrifugal force, is fresh and clean, and which contains not less than 18 per cent, preferably 20 per cent of milk fat; provided that cream having less than 18 per cent milk fat shall be known as substandard cream.

Cream having less than 30 per cent milk fat shall be known as light cream. Cream having 30 per cent or more and less than 40 per cent milk fat shall be known as heavy cream, and cream having 40 per cent or more milk fat shall

be known as extra heavy cream.

Whipping cream and manufacturing cream are creams containing not less than 30 per cent milk fat intended for whipping or manufacturing purposes, and the grades of same shall not be based on bacterial count.

(d) Skimmed milk.—Skimmed milk is milk from which substantially all the

milk fat has been removed.

(e) Chocolate milk.—Chocolate milk is defined as whole or adjusted or skimmed milk to which has been added in a sanitary manner a chocolate sirup composed of wholesome ingredients and which is labeled with the grade of milk or milk products from which it is made. If chocolate milk contains less than 31/4 per cent milk fat the label shall indicate the percentage of milk fat to which the milk has been adjusted.

Any mixture of milk or skimmed milk, with chocolate or cocoa flavoring, sold as a milk product or under a trade name in such a manner as to indicate to the public that they are made of milk, must be labeled, in addition

to the trade name, to the effect that they are made of skimmed milk or partly skimmed milk or these labels should contain the percentage of butter fat actually in the product. Such labeling shall be on the cap of the bottle, and any advertising material used in conjunction with such a product shall indicate that it is not made of whole milk. Further, such labeling shall be of such size type as to be readable and understandable by the consumers.

(f) Buttermilk.—Buttermilk is the product which remains when milk fat is removed from milk or cream, sweet or sour, in the process of churning. It contains not less than 8.5 per cent of milk solids not fat.

(g) Cultured buttermilk.—Cultured milk is the product obtained by souring pasteurized skimmed or partially skimmed milk by means of a suitable culture of lactic bacteria. It contains not less than 8.5 per cent of milk solids not fat.

(h) Evaporated milk (unsweetened).-Evaporated milk (unsweetened) is milk from which a considerable portion of water has been evaporated and which contains not less than 25.5 per cent of milk solids and not less than

7.8 per cent milk fat.

(i) Condensed milk (sweetened).—Condensed milk (sweetened) is milk from which a considerable portion of water has been evaporated, to which sugar has been added, and which contains not less than 28 per cent of milk solids and not less than 8 per cent of milk fat.

(j) Condensed skimmed milk.—Condensed skimmed milk is skimmed milk from which a considerable portion of water has been evaporated, and which

contains not less than 20 per cent of milk solids.

(k) Powdered (dried) whole milk.-Powdered whole milk is milk from which substantially all water has been removed, and which contains not less than 26 per cent of milk fat and not more than 5 per cent of moisture.

(1) Powdered (dried skimmed milk).-Powdered skimmedmilk is skimmed milk from which substantially all the water has been removed, and which

contains not more than 5 per cent of moisture.

(m) Recombined milk.—Recombined milk is a substance produced by recombining powdered whole milk, powdered skimmed milk, condensed or evaporated whole milk, or skimmed milk, and milk fat with water, and shall conform in milk-fat percentage and bacterial counts to the provisions of these regulations relating to milk.

(n) Milk products.—Milk products shall be taken to mean and include cream, skimmed milk, adjusted milk, buttermilk, cultured buttermilk, evaporated milk (unsweetened), condensed milk (sweetened), condensed skimmed milk,

powdered whole milk, powdered skimmed milk, and recombined milk.

(o) Pasteurization.—The terms "pasteurization." "pasteurized," "pasteurized," ize," and similar terms shall be taken to refer to the process of heating every particle of milk or milk products to a temperature of not less than 145° Fahrenheit and holding at such temperature for not less than 30 minutes in pasteurization apparatus approved by the health officer, the temperature and time being automatically recorded by a temperature and time recording device approved by the health officer.

(p) Adulterated milk and milk products.—Any substance claimed to be any milk or milk product defined in these regulations but not conforming with its definition as given in these regulations shall be deemed adulterated and mis-

(q) Milk producer.-A milk producer is any person, firm, or corporation which owns or controls one or more cows, a part or all of the milk from which is for sale, or sold or delivered to another person, firm, or corporation. section shall not be construed to include what is generally known as "family

(r) Milk distributor.—A milk distributor is any person, firm, or corporation which has in possession, offers for sale, sells, or delivers to another any milk

products for consumption or manufacturing purposes.

(8) Dairy or dairy farm.-A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products from which is sold or delivered to any person, firm, or corporation. This section shall not be construed to include what is generally known as "family cows."

(t) Milk plant.—A milk plant is any place, or premises, or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

(u) Health officer.—The health officer shall be taken to mean the health officer of any town, city, or county in Kentucky, any official of the State board of health, in person, or his authorized representative.

(v) Average bacterial count.—Average bacterial count shall be taken to mean the average of the bacterial counts of all samples taken during the grading

period, including at least four samples taken upon separate days.

(w) Grading period.—The grading period shall be such period of time as the health officer may designate, within which grades shall be determined for all milk and cream supplies, provided that the grading period shall in no case exceed six months.

(x) Disinfectant.—A disinfectant is any germicidal substance approved by

the health officer

RULE 93. The sale of adulterated or misbranded milk or milk products prohibited (sec. 2060a-1).—No person, firm, association, or corporation shall within the State of Kentucky produce, sell, offer, or expose for sale, or have in possession with intent to sell, any milk or milk product which is adulterated or misbranded.

RULE 94. Permits (sec. 2049).—It shall be unlawful for any person, firm, association, or corporation to bring into or receive into the State of Kentucky, for sale or to sell, or offer for sale therein, or to have on hand any milk or milk product, excepting evaporated milk, condensed milk, condensed skimmed milk, powdered whole milk, and powdered skimmed milk, who does not possess any unrevoked permit from the health officer of a city or county of Kentucky, and on whose vehicles or in whose place of business there does not appear in a conspicuous place a placard showing the permit number in figures at least 3 inches high and 1½ inches wide.

Such a permit may be revoked by the health officer upon the violation by the holder of any of the terms of these rules or any other health ordinance of the city of Kentucky in which sale is made, provided that the holder of said permit shall, after complying with such revocation, have the right to appeal to the board of health of that city or county. This rule shall apply to counties having full-time health departments and cities having the standard milk ordinance.

Rule 95. Labeling and placarding (sec. 2060a (3)).—All bottles, cans, packages, and other containers inclosing milk or any milk product defined in these rules shall be plainly labeled or marked with (1) the name of the contents as given in the definitions in these rules; (2) the grade of the contents if said contents are graded under the provisions of the standard ordinance; (3) the word "pasteurized" if the contents have been pasteurized; (4) the word "raw" if the contents are raw; (5) name of producer or distributor. The label or mark shall be in letters of a size and kind approved by the health officer and shall contain no marks or words not approved by the health officer.

Every grocery store, restaurant, cafe, soda fountain, or similar establishment selling or serving milk shall display at all times, in a place designated by the health officer, a card furnished by the health officer, stating the grade of the milk at the time when delivered if the milk is graded under the standard ordi-

nance and whether same is raw or pasteurized.

RULE 96. Inspection of dairy farms and milk plants for the purpose of grading or regrading (sec. 2060a (8), sec. 2060b (11)).—At least once during each grading period the health officer shall inspect every dairy farm producing milk or cream for consumption within the State of Kentucky, and all milk plants whose milk or cream is intended for consumption within the State of Kentucky.

In case the health officer discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied, but not before a lapse of three days, and the second inspection shall be used in determining the grade of milk or cream. Two violations of these rules within any one grading period shall call for immediate de-grading.

One copy of the inspection report shall be posted by the health officer in a conspicuous place upon an inside wall of one of the dairy farm or milk-plant buildings, and said inspection report shall not be removed by any person except the health officer. Another copy of the inspection shall be filed with the records

of the health department.

RULE 97. The testing of milk and milk products (sec. 2060a (8)).—During each grading period at least four samples of milk or cream from each dairy farm and each milk plant shall be tested by the health officer. Samples of milk and cream from stores, cafés, soda fountains, restaurants, and other

places where milk products are sold shall be tested as often as the health officer may require. Bacterial counts shall be made in conformity with the plate-count method of the standard methods recommended by the American Public Health Association. Tests may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration. Notices of bacterial counts shall be given to the producer or distributor concerned as soon as made, or to any interested person on request. Samples may be taken by the health officer at any time prior to the final delivery of the milk or milk products. All stores, cafés, restaurants, soda fountains, and other similar places shall furnish the health officer, upon his request, with the name of the milk distributor from whom their milk is obtained.

Rule 98. Transferring or dipping milk (sec. 2049).—No milk producer or distributor shall transfer milk or milk products from one container to another upon the street or in any vehicle or store, or in any place except a bottling or milk room especially used for that purpose, except as may be specially permitted by the health officer in the case of milk being delivered in bulk. The sale of dip milk is hereby expressly prohibited.

It shall be unlawful for hotels, soda fountains, restaurants, and similar establishments to sell or serve any whole or adjusted milk except in the original container in which it was received from the producer or distributor.

Rule 99. Milk not to be pasteurized outside of the State of Kentucky (sec. 2049).—No milk or cream shall be sold in the State of Kentucky that has been pasteurized outside of the State of Kentucky, except as may be authorized by the State board of health or the board of health of the city or county in which the milk or cream is to be sold.

Rule 100. Spitting (secs. 2049, 2060b).—No person shall spit, except into a receptacle provided for the purpose, in any part of any room, vehicle, or other place used for the sale, storage, handling, or transportation of milk.

Rule 101. Vehicles (secs. 2049, 2060b-2).—All vehicles used for delivery of milk in the State of Kentucky shall be so constructed as to protect the milk from the sun and from contamination. Such vehicles shall be kept clean while used in transporting milk or milk products. No substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination.

Rule 102. Denaturing misbranded products (secs. 2049, 2060a (8)).—The health officer shall immediately denature with rennet or some harmless coloring matter any milk or milk product found misbranded with respect to grading or sold without permit.

RULE 103. Repasteurization prohibited (sec. 2049).—No milk or milk product shall be pasteurized more than once, without permission of the health officer

RULE 104. Future dairies and milk plants (sec. 2049).—All dairies and milk plants from which milk is supplied to the State of Kentucky, which are hereafter constructed, shall conform in their construction to the requirements of the State board of health, which shall not be less than grade "A" requirements of the regulations. Compliance with this rule shall mean the submission of all plans of pasteurizing plants constructed after January 1, 1927, to the State board of health for approval. Plans shall include description of all new equipment used in milk handling as well as floor plans of buildings.

RULE 105. Specifications on pasteurizing equipment (sec. 2049).—(a) All approved pasteurization apparatus must be equipped with automatic devices for recording the pasteurization temperature and holding time.

(b) The design of approved pasteurization apparatus must be such that every particle of the milk in or issuing from the apparatus will actually be at or above the officially defined temperature when the attached recording device so indicates.

(c) The design of approved pasteurization apparatus must be that every particle of the milk in or issuing from the apparatus will have actually been held for at least the officially defined holding time when the attached time recording device so indicates.

The above specifications are interpreted in part to mean that batch-type pasteurizers provided with an effluent valve so located that the milk in the pipe between it and the body of the vat proper is at a lower temperature than that indicated by the recording thermometer will not be approved. Flush-type valves, properly designed, will be approved. The above specifications are

further interpreted in part to mean that any pasteurizer which causes foam of a depth sufficiently great to result in a foam temperature lower than that indicated by the recording thermometer will be disapproved.

The above specifications are further interpreted in part to mean that any continuous-flow or pocket-type pasteurizer which is not equipped with a device for automatically recording the holding time to which every particle of the

milk is subjected will be disapproved.

RULE 106. Regulating the grading of raw milk and cream (secs. 2060a-8, 2049, 2060b-1-11).-Once every six months the health officer shall announce through the press the grades of all milk and cream supplies delivered by all producers or distributors and ultimately consumed within any city or county of Kentucky. Said grades shall be based upon the following standards, the grading of cream being identical with the grading of milk:

(a) Certified milk (sec. 2060a-3).—Certified milk is milk which conforms with the requirements of the American Association of Medical Commissions, and is produced under the supervision of the medical milk commission of the medical society of any Kentucky county and of the State board of health and

city or county health officer.

(b) Grade "A" raw milk.—Grade "A" raw milk is milk the average bacterial count of which as determined under rule 97 of these regulations does not exceed 50,000 per cubic centimeter and which is produced upon dairy farms conforming with all of the following items of sanitation:

1. Cows; tuberculosis and other diseases .- A physical examination and tuberculin test of all cows shall be made before any milk therefrom is sold, and at least once every 12 months thereafter by a veterinarian approved by the health officer or by the State livestock sanitary authority, and said test shall be made, and any reactors disposed of, in accordance with the current require ments approved by the United States Bureau of Animal Industry for accredited herds.

A certificate signed by the veterinarian and filed with the health officer shall be the only valid evidence of the above test. Every diseased animal shall be removed from the herd at once and no milk from diseased cows shall be offered for sale. All reacting animals shall be isolated at once and immediately excluded from the premises. All animals failing to pass the T. B. test shall be branded with the letters "T" or "TB" on the shoulder, hip, or jaw, and removed at once and slaughtered under the direction of the health officer. Each letter in the brand shall not be less than 2 inches high and 11/2 inches wide.

2. Dairy barns.-Lighting: Such sections of all dairy barns where cows are kept or milked shall have at least 3 square feet of window space for each

stanchion.

3. Air space: Such sections of all dairy barns where cows are kept or milked shall have at least 500 cubic feet of air space per stanchion, and shall be well

4. Floors: The floors and gutters of such parts of all dairy barns in which cows are kept or milked shall be constructed of concrete or other equally impervious and easily cleaned material approved by the health officer and shall be graded to drain properly, and shall be kept clean and in good repair. No horses, pigs, fowl, etc., shall be permitted in parts of the barn used for dairy purposes.

Walls and ceilings: The walls and ceilings of all dairy barns shall be whitewashed once each year or painted once every two years, or finished in a manner approved by the health officer, and shall be kept clean and in good repair. In case there is a second story above that part of the barn in which

cows are kept or milked, the ceiling shall be tight.

6. Cow yard: All cow yards shall be graded and drained as well as practicable and kept clean.

7. Manure disposal: All manure shall be removed and stored or disposed of in

such manner as best to prevent the breeding of flies therein.

8. Milk house or room.—Construction: There shall be provided a separate milk house or milk room for the handling and storage of milk and the washing and sterilizing of milk apparatus and utensils, provided with a tight floor constructed of concrete or other impervious material and graded to provide proper drainage. The walls and ceilings of the milk house or room shall be of such construction as to permit easy cleaning, and shall be painted at least once each year or finished in a manner approved by the health officer. The milk house or room shall be well lighted and ventilated and all openings effectively screened

to prevent the entrance of flies, and shall be used for no other purpose than the handling and storage of milk or milk products and other operations incident thereto. The cleaning and other operations shall be so located and conducted as to prevent any contamination one to the other. The milk room shall not open directly into the barn or into any room used for sleeping or domestic purposes.

Cleanliness and flies: The floors, walls, and ceilings and equipment of the milk house or room shall be kept clean at all times. All means necessary for the

elimination of flies shall be used.

10. Toilet.—Every dairy farm shall be provided with a sanitary toilet constructed and operated in accordance with the regulations of the State board of health of Kentucky.

11. Water supply.—The water supply shall be easily accessible, adequate, and

of a safe sanitary quality.

12. Utensils.—Construction: All containers or utensils used in the handling or storage of milk or milk products must be made of nonabsorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. All milk pails shall be of a narrowmouth design approved by the health officer.

13. Cleaning: All containers and other utensils used in the handling, storage, or transportation of milk and milk products must be thoroughly cleaned after

each usage.

14. Sterilization: All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall between each usage be sterilized with steam or chlorine or in a manner approved by the State health authority.

15. Storage: All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall be stored so as not to become

contaminated before again being used.

16. Handling: After sterilization no container or other milk or milk-product utensils shall be handled in such manner as to permit any part of the person or clothing to come in contact with any surface with which milk or milk products come in contact.

17. Milking .- Udders and teats: The udders and teats of all milking cows

shall be clean at the time of milking.

18. Flanks: The flanks of all milking cows shall be kept free from visible

dirt at the time of milking.

19. Milkers' hands: Milkers' hands shall be clean, rinsed with a disinfectant, and dried with a clean towel immediately before milking. Should the milking operation be interrupted, the milkers' hands must be redisinfected. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of the milkers' hands.

20. Clean clothing: Milkers and milk handlers shall wear clean outer gar-

ments while working.

21. Milk stools: Milk stools shall be kept clean.

22. Removal of milk: Each pail of milk shall be removed immediately to the milk house or straining room. No milk shall be strained in the dairy barn.

23. Cooling: Milk must be cooled within one hour after milking to 50° F, or less and maintained at or below that temperature until delivery, unless it is delivered to a milk plant for pasteurization or separation, in which case it must be cooled or pasteurized within two hours of the time of production.

24. Bottling and capping: Capping shall be done by machine. Caps shall be purchased in sanitary tubes and kept therein in a clean place until used.

25. Personnel.—Health certificates: Every person connected with a dairy or milk plant whose work brings him in contact with the production, handling, storage, or transportation of milk or milk products shall have within 12 months passed a medical examination made by the health officer.

26. Notification of disease: Notice shall be sent to the health officer immediately by any milk producer or distributor upon whose dairy farm any case of sickness or any infectious, contagious, or communicable disease occurs.

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(c) Grade B raw milk.—Grade B raw milk is milk the average bacterial count of which at no time prior to delivery exceeds 200,000 per cubic centimeter, or which falls in class 1 as determined by the reductase test as described in the Standard Methods of Milk Analysis of the American Public Health Association, and which is produced upon dairy farms conforming with all the

items of sanitation required for grade A raw milk except 2, 3, 4, 5, or 6, provided that celanliness of the barn and cow yard shall in no case be omitted. Item 23 shall apply except that the cooling temperature shall be changed to

10° F.

(d) Grade C raw milk.—Grade C raw milk is milk the average bacterial count of which at no time prior to delivery exceeds 1,000,000 per cubic centimeter, or which falls in class 2 as determined by the reductase test as described in the Standard Methods of Milk Analysis of the American Public Health Association, and which is produced on dairy farms conforming with all the items of sanitation required for grade B raw milk, except 1, 7, 12, 14, 23, 24, or 25, provided that cleanliness in no case shall be omitted.

(e) Grade D raw milk.—Grade D raw milk is milk which does not meet

(e) Grade D raw milk.—Grade D raw milk is milk which does not meet the requirements of grade C raw milk and the average bacterial count of which does not exceed 5,000,000 per cubic centimeter, or which falls in class 3 as determined by the reductase test as described in the Standard Methods of Milk

Analysis of the American Public Health Association.

Rule 107. Regulating the grading of pasteurized milk and cream; grade A pasteurized milk (secs. 2049, 2060a-8, 2060b-11).—Grade A pasteurized milk is grade A or grade B raw milk which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the following items of sanitation and the average bacterial count of which at no time after pasteurization and until delivery exceeds 50,000 per cubic centimeter.

1. Buildings and equipment.—Floors: The floors of all rooms in which milk is handled shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, and provided with

trapped drains and kept clean.

2. Walls and ceilings: Walls and ceilings of rooms in which milk is handled or stored shall be frequently painted with a light-colored paint or finished in a manner approved by the health officer and kept clean.

3. Doors and windows: All openings into the outer air shall be effectively

screened to prevent the access of flies. Doors shall be self-closing.

4. Lighting and ventilation: All rooms shall be well lighted and ventilated.
5. Protection from contamination and flies: The various milk-plant operations shall be so located and conducted as to prevent any contamination one to the other. All means necessary for the elimination of flies shall be used. This

requirement shall be interpreted to include separate rooms for (a) the pasteurizing, cooling, and bottling operations; (b) the container-washing and sterilizing operation. Cans of raw milk shall not be unloaded directly into the pas-

teurizing room.

6. Toilet facilities: Every milk plant shall be provided with toilet facilities conforming with the regulations of the State board of health. There shall be at least one room or vestibule not used for milk purposes between the toilet room and any room in which milk or milk products are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be located at least 100 feet from the building, and shall be of a sanitary type, constructed and operated in conformity with the regulations of the State board of health.

7. Water supply: The water supply shall be easily accessible, adequate, and

of a safe, sanitary quality.

8. Washing facilities: Washing facilities shall be provided, including hot running water, soap, and sanitary towels of a type approved by the health officer. The use of a common towel is prohibited.

9. Milk piping: Only "sanitary milk piping" of a type which can be easily

cleaned with a brush shall be used.

10. Construction of equipment: All equipment with which milk comes in contact shall be constructed in such manner as to be easily cleaned.

11. Disposal of wastes: All wastes shall be disposed of in conformity with

the requirements of the health officer.

12. Methods.—All milk containers and milk apparatus shall be thoroughly cleaned after each usage and sterilized in a manner approved by the health officer immediately before each usage.

13. Storage of containers: After sterilization all bottles, cans, and other containers shall be stored in such manner as to be protected from contamination.

14. Handling of containers and apparatus: Between sterilization and usage all containers and apparatus shall be handled in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk products come in contact.

15. Storage of caps: Milk-bottle caps shall be purchased and stored only in

sanitary tubes and shall be kept therein until used.

16. Pasteurization: Pasteurization shall be performed as described in rule 92 (o) and in apparatus conforming to rule 105. The time and temperature record charts shall be dated and preserved for a period of three months for the

information of the health officer.

at the plant shall then be immediately cooled to a temperature of 50° F. or less and maintained thereat until pasteurized; and all pasteurized milk shall be immediately cooled to a temperature of 50° F. or less and maintained thereat until delivery.

18. Bottling: Bottling shall be done in automatic machinery approved by the health officer in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk products

come in contact.

19. Overflow milk: Overflow milk which has become machine contaminated shall not be sold for human consumption.

20. Capping: Capping shall be done by machinery approved by the health

officer. Hand capping is prohibited.

21. Time of delivery: Milk to be consumed in the form of whole milk shall be delivered to the final consumer within 36 hours of the time of pasteurization.

22. Personnel.—Health certificates: Every person connected with a dairy or milk plant whose work brings him or her in contact with the production, handling, storage, or transportation of milk or milk products shall have within 12 months passed a medical examination made by the health officer.

23. Notification of disease: Notice shall be sent to the health officer immediately by any milk producer or distributor upon whose dairy farms or whose milk plant any case of sickness or any infectious, contagious, or com-

municable disease occurs.

24. Cleanliness: All persons coming in contact with milk or milk products, containers, or equipment shall wear clean outer garments and shall keep their

hands clean at all times while thus engaged.

(b) Grade B pasteurized milk.—Grade B pasteurized milk is grade A, B, or C raw milk which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the items of sanitation required for grade A pasteurized milk excepting (2), (4), or (24), and the average bacterial count of which at no time after pasteurization and prior to delivery exceeds 100,000.

(c) Grade C pasteurized milk.—Grade C pasteurized milk is pasteurized milk which does not meet the requirements of grade B pasteurized milk, and the average bacterial count of which at no time prior to delivery exceeds 500,000

per cubic centimeter.

Rule 108. Regulating supplementary regrading (secs. 2049, 2060-8, 2060b-1-11).—At any time between regular announcements of milk grades any producer or distributor may make application for regrading his product. In case the applicant's existing low grade is due to excessive bacterial count, said application must be supported by at least two bacteriological examinations made subsequent to the end of the previous grading period and indicating that the quality of the applicant's output has improved since the last grading announcement and conforms with the requirements of a higher grade. The samples upon which the said two analyses are made may be brought to the health department laboratory by the applicant. Upon receipt of a satisfactory application, the health officer shall make at least four bacteriological analyses upon samples collected by the health officer of the applicant's output within a period of not less than two weeks and not more than three weeks of the date of the application. The health officer shall award a higher grade immediately in case the said four analyses indicate the necessary quality.

In case the applicant's existing low grade is due to a violation of an item of sanitation, said application must be accompanied by a statement signed by the applicant to the effect that the violated item of sanitation has been conformed with. Within one week of the receipt of such an application the health officer shall make reinspection of the applicant's establishment and, in case the findings

justify, shall award a regrade.

Ice Cream—Manufacture and Sale—Testing. Ice Cream Plants—Inspection—Sanitary Requirements for Various Grades. (Reg. Bd. of H., December 12, 1927)

Rule 109. Definitions applying to manufacture and sale of ice cream (secs. 2060a (8), 1905a-65).—Definitions a, b, c, d, h, i, j, k, l, m, n, in rule 92, definitions on milk products, shall apply in the inspection and manufacture of ice cream. All other products used in the manufacture of ice cream shall conform to the definition of that product as given in the rules of the board.

(a) Aging.—Aging shall mean the storage for a period of not more than 48 hours of the ice cream mix after pasteurization and homogenization in properly

lined and sanitary holders at a temperature of not more than 50° F.

(b) Ice cream (sec. 1905a-65).—Ice cream is a frozen food product varied as to kind and proportion of ingredients, within the limits established by custom and usage. Ice cream consists chiefly of a sweetened and flavored mixture of cream, cream and milk, or milk with or without added milk fat in the form of sound sweet butter; or as contained in condensed, evaporated, or concentrated milk or in milk powder, and with or without added milk solids not fat in the form of skimmed milk powder or as contained in milk powder or in condensed, evaporated, or concentrated skimmed milk, or of a sweetened and flavored homogenized or emulsified mixture of sound sweet butter, milk powder, or skimmed milk powder and water, with the addition of gelatin, vegetable gum, or other wholesome stabilizer. Standard ice cream shall contain not less than 10 per cent milk fat, and the contents of milk fat and milk solids not fat combined shall be not less than 18 per cent, except when the ingredients of standard ice cream include eggs, fruit or fruit juice, cake, confection, cocoa, or chocolate, or nuts, such reduction of the percentage of milk fat and milk solids not fat as may be due to the addition of such ingredients shall be allowed.

(c) Pasteurization.—The terms "pasteurization," "pasteurized," and "pasteurize" and similar terms shall be taken to refer to the process of heating every particle of milk or milk product to be used in the manufacture of ice cream to a temperature of not less than 145° F., and holding at such temperature for not less than 30 minutes in pasteurization apparatus approved by the State board of health. The temperature and time being automatically recorded by a temperature and time-recording device approved by the State board of health. Nothing in this definition shall prohibit the pasteurization of ice cream mix at 160° F., held not less than 10 minutes or at 185° F. for 30 seconds known

as flash pasteurization, or sterilization by vacuum process.

(d) Ice cream plant.—An ice cream plant is any place or premises or establishment where milk products are collected, handled, processed, stored,

pasteurized, or frozen for distribution as ice cream.

(e) Grading period.—The State board of health shall, at least once each year, make an inspection of every ice cream plant in the State of Kentucky, for the purpose of grading, and, if so desired, make reinspection as often as practicable.
(f) Disinfectant.—A disinfectant is any germicidal substance approved by

the State board of health.

RULE 110. (a) The sale of adulterated or misbranded ice cream is prohibited (sec. 2060a (1)).—No ice cream plant in the State shall produce, sell or offer or expose for sale, or have in its possession with intent to sell, any ice cream

or milk product which is adulterated or misbranded.

(b) Labeling and placarding (secs. 2060a (3), 1905a-67).—When ice cream is sold or offered for sale without designation of its kind, quality, or grade on a label, brand, or tag attached to the package or container or in case of removal from the original package or container by a notice conspicuously posted in or at the place where such ice cream is sold or offered for sale, it shall be deemed that such ice cream is sold or offered for sale as standard ice cream.

(c) Inspection of ice cream plants (secs. 2060a-8, 2060b-11).—At least once during each year the State board of health shall inspect every ice cream plant in the State of Kentucky. In case the State board of health d scovers a violation of any item of sanitation, they shall notify the ice cream plant by letter of this violation, and on notification by means of a signed statement from the ice cream plant that the violations have been corrected, they shall make a second inspection at such time as is practicable and the second inspection shall be used for determining the grade for the ice cream plant. Two violations of this code within any one year shall immediately call for de-grading. One copy of the inspection report shall be left with the operator of the

ice cream plant at the time of inspection and one copy of the inspection report

shall be filed in the records of the State board of health.

(d) The testing of ice cream (sec. 2060a-8).—During each year samples of ice cream from each ice cream plant shall be tested by the State board of health. Samples of ice cream from stores, such as cafés, soda fountains, restaurants, and other places where ice cream is sold may be tested as often as the State board of health may require. Notices of analysis shall be given to ice cream plant operators as soon as made. Samples may be taken by the State board of health at any time prior to the final delivery of the ice cream.

RULE 111. Receptacles to be kept in sanitary condition; when to be condemned and seized (secs. 2060b-2, 2060b-12).—Every can or other vessel which is used to contain milk or cream or ice cream intended for sale shall be constantly kept in a clean and sanitary condition. When emptied and before being returned by the person to whom it was last delivered full or partly full every such can or other vessel shall be effectively cleansed. The local health officer or his representative or State official shall condemn any such can or other vessel found by him to be in such condition that it can not be rendered by washing clean and sanitary as a receptacle for milk or cream or ice cream, and shall destroy or so mark the condemned vessel as to show that it has been condemned. When so condemned and marked, such can or other vessel shall not be used again to contain milk or cream or ice cream for sale. The local health officer or his representative may seize and hold as evidence any can or other vessel returned

or otherwise used in violation of this regulation.

RULE 112. Transferring of ice cream on street forbidden (secs. 2049. 2060b-2).-No ice-cream manufacturer or distributor shall transfer ice cream

from one container to another upon the street.

RULE 113. No ice cream to be pasteurized outside of Kentucky (sec. 2049).— No ice cream mix or pasteurized milk products shall be used by an ice-cream plant for sale in Kentucky which has been pasteurized outside of Kentucky except as may be authorized by the State board of health.

Rule 114. Spitting in ice-cream factories (secs. 2049, 2060b-8).—No person shall spit, except into a receptacle provided for the purpose, in any part of any room, vehicle, or other places used for the sale, storage, handling, or transporta-

tion of milk products or ice cream.

Rule 115. Delivering of ice cream (secs. 2049, 2060b-2).—All vehicles used for delivery by ice-cream plants shall be so constructed as to protect the ice cream from the sun and contamination. Such vehicles shall be kept clean while used in transporting ice cream. No substance capable of contaminating ice cream or milk products shall be transported with ice cream or milk products in such a manner as to permit contamination.

RULE 116. Regulating the grading of ice-cream plants. (a) Grade A icecream plant.—A grade A ice-cream plant is an ice-cream plant conforming with all of the following items of sanitation and the final product of which conforms with all the standards required under the State ice cream law. (Sec. 1905a.) The products of a grade A ice-cream plant shall be manufactured of pasteurized milk products only. This shall prohibit the mixing of pasteurized with unpasteurized milk products in the manufacturing of ice cream.

1. Building and equipment.—Floors: The floors of all rooms in which milk products and ice cream are handled and manufactured shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained and provided with trapped drains, and kept clean.

2. Walls and ceilings.-Walls and ceilings of rooms in which milk products and ice cream are handled, manufactured, or stored shall be frequently painted with a light-colored paint or finished in a manner approved by the State board of health and kept clean.

3. Doors and windows.—All openings into the outer air shall be effectively screened or otherwise protected to prevent the access of flies into rooms where milk or ice cream is manufactured or exposed and containers are stored or

exposed. Screen doors shall be self-closing.

4. Lighting and ventilation.—All rooms shall be well lighted and ventilated. 5. Protection from contamination and flies.—The various ice-cream plant operations shall be so located and conducted as to prevent any contamination, one to the other. All means necessary for the elimination of flies shall be used. This requirement shall be interpreted to include separate rooms for (a) the pasteurization, freezing, and packing operations; (b) the container washing and sterilizing operations. Cans of raw-milk products shall not be unloaded directly into the pasteurization and freezing room.

6. Toilet facilities.—Every ice-cream plant shall be provided with toilet facilities conforming with the requirements of the State board of health. There shall be at least one room or vestibule not used for ice cream or milk product purposes between the toilet room and any room in which ice cream or milk products are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be located at least 100 feet from the building, and shall be of a sanitary type constructed and operated in conformity with the requirements of the State board of health.

7. Water supply.—The water supply shall be easily accessible, adequate, and

of a safe, sanitary quality.

8. Washing facilities.—Washing facilities shall be provided, including hot running water, soap, and sanitary towels, of a type approved by the State board of health. The use of a common towel is prohibited.

9. Milk piping.—Only "sanitary milk piping" of a type which can be easily

cleaned with a brush shall be used.

10. Construction of equipment.—All equipment with which milk products and ice cream come in contact shall be constructed in such a manner as to be easily cleaned.

11. Disposal of wastes.—All wastes shall be disposed of in conformity with

the requirements of the State board of health.

12. Methods.—All milk-product and ice-cream containers and milk-product and ice-cream apparatus shall be thoroughly cleaned after each usage and sterilized in a manner approved by the State board of health before each usage.

13. Storage of containers.—After sterilization, all cans and other containers

shall be stored in such a manner as to be protected from contamination.

14. Handling of containers and apparatus.—Between sterilization and usage all containers and apparatus shall be handled in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which the ice cream comes in contact.

15. Can liners.—Can liners and paper containers shall be purchased and stored only in sanitary containers and shall be kept therein until used. After June 1, 1928, all cans or containers of more than 1 gallon in capacity shall be provided with liners of parchment paper or other suitable material, or the interior of the can shall be smooth, free from rust, erosion, or breaking of

tinning.

16. Pasteurization.—Pasteurization shall be performed as described in section (c) of rule 109. On request of the State board of health the time and temperature record charts shall be dated and preserved for a period of three months for information of the State board of health. In the case that the entire mix is purchased already pasteurized, the invoices covering the purchases of this mix shall be dated and preserved for a period of three months for information of the State board of health.

17. Cooling and aging.—All milk or cream not pasteurized within two hours after it is received at the plant shall be immediately cooled to a temperature of 50° F., or less, and maintained thereat until pasteurized. All pasteurized milk products shall be cooled to a temperature of 50° F., or less, and maintained thereat until used. Aging of mix shall be performed as described in

section (a), rule 109.

18. Packaging and filling of containers.—The packaging and filling of containers of over 1 gallon capacity shall be done by automatic machinery approved by the State board of health in such a manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk products or ice cream comes in contact, and packaging of smaller containers shall be done in such a manner as to prevent any part of the person or clothing from coming in contact with any surface with which ice cream comes in contact.

19. Overflow milk products.—Overflow milk products or ice cream which has become machine contaminated shall not be sold for human consumption.

20. Cutting and packaging of brick ice cream.—The cutting of brick ice cream shall be done by an automatic machine and the packaging of brick cream shall also preferably be done by automatic machinery. However, until a date to be decided upon by the State board of health, the handwrapping of brick ice cream will be permitted provided it is done in such manner as to prevent the contamination of the brick ice cream, as well as the paper used for wrapping.

21. Return of broken packages.—Ice cream in a package which has been broken by a retailer or other consumer shall not be returned to the ice-cream plant to be refrozen or used for human consumption. Broken packages and dirty cans returned to the factory shall be covered while on the truck.

·22. Personnel.—Health certificates: Every person connected with an ice-cream plant which brings him in contact with the handling or storing or transportation of milk products or ice cream shall have within 12 months passed a medical examination by the State board of health.

23. Notification of disease.—Notice shall be sent to the State board of health immediately by an ice-cream manufacturer in whose plant any case of sickness or infectious, contagious, or communicable disease occurs.

24. Cleanliness.—All persons coming in contact with milk products or ice cream, containers, or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.

(b) Grade B ice-cream plants.—An ice-cream plant having a grade of B is an ice-cream plant conforming with all items of sanitation required for a grade A ice-cream plant excepting items 2, 4, 24.

(c) Grade C ice-cream plants.—An ice-cream plant having a grade of C is an ice-cream plant which does not meet the requirements of grade B ice-cream plant.

Food and Drugs—Collection and Examination of Samples—Guaranty—Labeling. Food—Prevention of Fraud in Sale of—Quarantine—Destruction—Use of Certain Articles in, Prohibited—Certain Canned Goods Deemed Adulterated. Drugs—Standards—Labeling. (Reg. Bd. of H., December 12, 1927)

RULE 68. Regulation on the collection of samples of foods and drugs under the food and drug law (sec. 2060-8).—(a) Articles of foods and drugs within the scope of this law may be sampled whenever found.

(b) Samples for examination shall be collected by authorized agents of the bureau of foods, drugs, and hotels, and of city and county health officers.

(c) One or more samples may be collected

(d) Samples may be purchased in the open market, and, if in the bulk, the mark, brands, or tags upon the package, carton, container, wrapper, or accompanying printed or written matter shall be noted. The collector shall also note the names of the vendor and agent through whom the sale was actually made, together with the date of invoice, and the date of purchase by the inspector.

(e) All samples shall be sealed by the collector, and labeled by the identifying

marks.

RULE 69. Regulation on the examination of samples of foods and drugs in the enforcement of the food and drug act.—Samples shall be examined by any method applicable to determine their freedom from adulteration and misbranding. Such methods may include chemical or biological analysis, bacteriological or physical examination.

Rule 70. Regulation as to the guaranty made on foods and drugs (sec. 2060a).—(a) If an article of food or drugs be guaranteed, such guaranty to afford protection shall be signed by, and shall contain the name and address of, the wholesaler, manufacturer, jobber, dealer, or other party residing in the State of Kentucky making the sale of the article or articles covered by it to the dealer, and shall be to the effect that such article or articles are not adulterated or misbranded within the meaning of the food and drugs act.

(b) If a particular guaranty in respect to any article or articles be given, it should be incorporated in or attached to the bill of sale, invoice, bill of lading, or other schedule, giving the name and quantity of the article or articles sold, and shall not appear on the label and package. A guaranty, if worded substantially according to the following form, will comply with all requirements:

"I (we), the undersigned, do hereby guarantee that the articles of food listed herein (or specifying the same) are not adulterated or misbranded within the

meaning of the food and drugs act."

(c) No dealer in food or drug products will be liable to prosecution if he can establish that the goods were sold, offered or kept for sale under a written guaranty by the wholesaler, manufacturer, jobber, dealer, or other party residing in the State of Kentucky from whom purchased; provided, that this exemption shall not apply when such dealer knew or ought to have known that said drugs or foods so sold, offered, or kept for sale were adulterated or misbranded within the meaning of the law.

(d) It having been determined that the legends "Guaranteed under the food and drugs act, June 30, 1906," and "Guaranteed by (name of guarantor) under the food and drugs act, June 30, 1906," borne on the labels or packages of foods and drugs, are each misleading and deceptive, in that the public is induced by such legends to believe that the articles to which they relate have been examined and approved by the Government and that the Government guarantees that they comply with the law, the use of either legend, or any similar legend, on the labels or packages is prohibited.

RULE 71. Regulation as to the publication of proceedings after court findings (sec. 2060a-10).—(a) After judgment of the court in any proceeding under the law, notice may be given by publication. Such notice shall include the finding of the court and may include the findings of the analyst and such explanatory statements of facts as the State board of health may deem appropriate.

(b) If an appeal be taken from the judgment of the court before such pub-

lication, that fact shall appear.

Rule 72. Regulation as to the standards of foods and drugs (sec. 2060a-8).—
(a) A drug sold under or by a name, or synonym, recognized in the United States Pharmacopeia or National Formularly, unless as prescribed by paragraph (b) of this regulation, shall conform to the standard of strength, quality, or purity for the article as determined by the test laid down in the United States Pharmacopeia or National Formulary official at the time of investigation. An article shall not be deemed to conform to such standard of strength, quality, or purity unless it conforms in every respect to all the requirements and specifications of the United States Pharmacopeia or National Formulary for the article.

(b) A drug sold under or by a name, or synonym, recognized in the United States Pharmacopæia or National Formulary which does not conform to the standard of strength, quality, or purity for the article as determined by the test laid down therein shall be labeled with a statement to the effect that the drug is not a United States Pharmacopæia or National Formulary article; in addition it shall be labeled with a statement showing its own actual strength, quality, or purity, or else with a clear and exact statement of the nature and extent of the deviation from the standard of strength, quality, or purity set out for such article in the United States Pharmacopæia or National Formulary.

(c) In order to more fully carry out the intent and purposes of the law regarding substitution, manufacturers may file with the director of the foods and drug bureau of the State board of health distinctive tests for the identification of purity and strength of their respective products. And if after verification they shall be found true and correct, the director may adopt same

for the particular products to which such tests are intended to apply.

RULE 73. Regulation as to the requirements for confectionery (sec. 2060a-8).—The term "food" includes articles used for confectionery. The provision of the law relating to food, as well as the specific provisions relating to confectionery, apply to confectionery.

Rule 74. Regulation covering coloring, powdering, coating, and staining of food products (sec. 2060a-4-8).—(a) Only harmless colors shall be permitted

in food products.

(b) Colors even though harmless shall be prohibited in food products where the use of such colors may conceal inferiority or damage or make the food

products appear of better quality.

(c) Coloring matter shall not be added to an article of food for the purpose of imitating a natural product or any product of recognized style, type, or quality.

(d) An article of food shall neither be covered with a powder nor reduced to a powder in such manner that damage or inferiority is concealed.

[No e.]

(f) Food products shall not be coated, strained or otherwise treated whereby damage or inferiority is concealed or the products made to appear of better

quality.

Rule 75. Regulation governing the use of preservatives (sec. 2060a-4-8).—
(a) Only harmless preservatives may be used in articles of food, provided, however, that in case of certain articles of food other preservatives may be applied externally if they are of such character that they will be completely removed mechanically, or by maceration in water, or otherwise, in preparation of food for consumption, if the package or covering of such food bear directions for the effective removal of such preservatives.

(b) A preservative or other substance, even though harmless, shall not be used in the preparation of any article of food in a manner whereby damage or inferiority is concealed or the product made to appear better than it really is.

(c) A food product prepared with the use of a preservative not prohibited by law shall be plainly and conspicuously labeled to show the preservative and amount present in form as follows:

Preserved by _____; per cent _____;

Rule 76. Regulation governing the use of preservatives and permissible colors (sec. 2060a-4-8).—(a) Such colors, preservatives, and other substances as shall have been determined suitable by the secretary of the United States Department of Agriculture for the use in foods shall be permitted to be used in foods sold in this State subject to the provisions of the law.

(b) The State board of health shall make public announcement in such manner as it may deem appropriate of such colors, preservatives, and other

substances as are permitted to be used.

RULE 77. Regulation governing the labeling of foods and drugs (sec. 2060a-3-7-8).—(a) The term "label," as used in the act, includes any legend and descriptive matter or design appearing upon the article or its container, and also includes circulars, pamphlets, and the like which are packed and go with the article to the purchaser, and such letters, circulars, and pamphlets to which reference is made either on the label attached to the package or on the package itself.

(b) The label shall bear, plainly and conspicuously displayed without any intervening descriptive matter, all the information specifically required by the

law and regulations thereunder.

(c) A label in a foreign language shall conform to these regulations and shall bear in English, as well as in the foreign language used to describe the article,

all the information required by the law.

(d) The label shall be free from any statement, design, or device regarding the article or ingredients or substances contained therein, or quality thereof, or place of origin, which is false or misleading in any particular. The terms "design" and "device" include abbreviations, character, signs, and pictorial matter of any description.

(e) A food or drug product shall not be labeled or branded in such a manner as to deceive or mislead the purchaser. Direct misstatements and indirect misrepresentations regarding the article or its ingredients are prohibited, whether made by means of designs, printed testimonials, devices, or artifices in the arrangement, style, or dress of the package, or in the arrangement of the printed or pictorial matter in or upon the label or package.

(f) An article containing more than one food product or active medicinal agent is misbranded if named after a single constituent. In the case of drugs the nomenclature of the United States Pharmacopæia or National Formulary

shall be followed.

(g) The statement of the formula is not required on the label except in so

far as may be necessary to prevent adulteration or misbranding.

(h) An article of food or drugs which under the law or regulations requires special labeling must carry such label, not only on the original package, but also on all lots removed for display of the goods or for the convenience of handling.

[No i.]

(j) Retail cartons or other outside containers shall be labeled according to the same regulations as are applied to the bottle, can, or other receptacle

contained therein.

(k) A drug or preparation of drugs, except in the case of physicians' prescriptions, or drug or preparation of drugs recognized in the United States Pharmacaopæia or National Formulary, is misbranded in case it fails to bear a statement on the label of the maximum quantity or proportion which shall not vary materially from the quantity claimed of any alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, or acetanilide, or any derivative, or any preparation of any such substances that is contained therein.

The words alcohol, morphine, opium, etc., in quantities or proportions thereof, which is required to be stated in the label in accordance with paragraph 4 of section 7 of the food and drug law, (sec. 2060a), shall be plainly written or printed in letters corresponding in size to 8-point (brevier) caps where the

size of the package will permit. In case the size of the package is too small

for such type, the size of the type may be reduced proportionately.

(1) If the true formula is printed on the package or label of a drug in type defined in the regulation, or plainly written on the label, it shall be deemed to comply with the law. The term "alcohol" is defined to mean "ethyl alcohol," of the degree of refinement required in the pharmacopæa. No other kind of alcohol is permissible in the manufacture of drugs except as specified in the above.

RULE 78. Regulation governing the use of name and address of manufacturer on labels (sec. 2060a-8).—(a) When the name of the manufacturer, jobber, wholesaler, dealer, or agent appears on the label it must be the true name of the actual manufacturer, producer, jobber, wholesaler, dealer, or agent.

(b) When the place of manufacture or production is given it must be cor-

rectly stated.

(c) When a person, firm, or corporation actually manufactures or produces a food or a drug in two or more places, the actual place of manufacture or production of each particular package need not be stated on the label except when the mention of any place, to the exclusion of the others, deceives or misleads.

Rule 79. Regulation governing the character of name used to designate a food and drug.—(a) A simple or unmixed food or drug product shall be sold by its common name in the English language; or, if a drug recognized in the United States Pharmacopæa or National Formulary, by the names therein designated

(b) A geographical name indicating that a food or drug product was manufactured or produced in a specific place shall not be used unless such product

was manufactured or produced in that place.

(c) A name which is distinctive of a product of a specific foreign country shall not be used upon an article not manufactured or produced in that country, except as an indication of the type or style of quality or manufacture, and then only when the product possesses substantially the characteristic qualities of the product of that foreign country. Such name shall be so qualified as to remove any impression that the article was manufactured or produced in the country in which the name is distinctive.

RULE 80. Regulation governing the use of distinctive name (sec. 2060a-8).—
(a) A distinctive name is a name that distinguishes one kind of food from

another.

(b) The expression "own distinctive name" as used in the law means a name which is purely arbitrary or fanciful and distinguishes a particular article of food from all other articles of food. It shall not give a false indication of origin, character, composition, ingredients, or place of manufacture, and shall not lead the purchaser to suppose that the product is other than what it is.

RULE 81. Regulation concerning the labeling of mixtures or compounds bearing distinctive names.—(a) The terms "mixtures" and "compounds" are

interchangeable.

(b) A compound or a mixture not offered for sale under own distinctive name shall not be an imitation of any other article whether simple, mixed or compound. In addition to its own distinctive name, it shall bear on the same label or brand the name of the place of manufacture or production. If the name of the place be one which is found in different States, Territories, or countries, the name of the State, Territory, or country, as well as the name of the place, must be stated.

RULE 82. Regulation governing imitations and compounds.—(a) An imitation food product shall bear on the label the word "imitation" in immediate conjunction equally as prominent and conspicuous as the name of the product, followed without any intervening matter whatsoever by a list of the ingredients or by a statement or legend showing wherein the product is an imitation.

(b) A compound or a blend not offered for sale under its own distinctive name, as defined in rule 80 (b) and for which no definition or standard has been fixed, shall be labeled with the word "compound" or "blend" as the case may be, followed without any intervening matter whatsoever by a list of the ingredients stated in the order of the predominance; provided, that when a statement of the list of the ingredients alone may not correct a false or misleading impression, or fails to disclose the true nature and character of the product, the percentage of each ingredient shall be stated on the label.

RULE 83. Regulation governing substitution (sec. 2060a-8-4).—(a) When a substance of a recognized quality commonly used in the preparation of a food product is replaced in whole or in part by another substance not injurious or deleterious to health, the name of the substitute shall appear on the label.

RULE 84. Regulation governing the use of by-product or waste food material (sec. 2060a-3-8).—(a) A food which consists in whole or in part of sound by-product or waste food material, such as pieces, stems, trimmings, and the like, shall not be labeled with the unqualified name of the substance from which material is derived.

Rule 85. Regulation in regard to certain adulterations (sec. 2060a-4-8).—(a) Proper labeling alone will not remove an article from the operation of the law. Certain forms of adulteration, e. g., the addition of a poisonous or deleterious ingredient which may render the article injurious to health, can not be corrected by any form of labeling.

Rule 86. Regulation governing the method of stating quantity or proportion (sec. 2060a-7-8).—(a) The quantity of alcohol in a drug shall be stated in terms of the average percentage by volume of absolute alcohol in the finished product. The term "alcohol" without qualification means ethyl alcohol. If any alcohol other than ethyl alcohol be present in a drug the kind must be stated on the

(b) In a liquid the quantity of any substance required by law or by these regulations to be declared upon the label, except alcohol, shall be stated in terms of the metric system or in terms of grains or minims per fluid ounce; and in a solid substance in terms of the metric system or in terms of grains or minims per avoirdupois ounce.

(c) When two or more pills, wafers, tablets, powders, capsules, or the like are put up for sale or distribution in the same container there shall be stated on the container the quantity present in each pill, wafer, tablet, powder, capsule or other unit, of any substance required by law to be declared.

RULE 87. Regulation governing the statement of weight, measure, count (sec. 2060a-8).—(a) Except as otherwise provided by this regulation, a package of food shall be plainly and conspicuously marked with the quantity of the contents in terms of weight, measure, or numerical count on the outside of the container or covering of the package usually delivered to the consumer.

(b) The quantity of the contents so marked shall be the quantity of food in

the package. (c) The statement of the quantity of the contents shall be plain and conspicuous, shall not be a part of or obscured by any legend or design, and shall be so placed and in such characters as to be readily seen and clearly legible when the size of the package and the circumstances under which it is ordi-

narily examined by purchasers or consumers are taken into consideration.

(d) The quantity of the contents when stated by weight or measure shall be marked in terms of the largest unit contained in the package, except that, articles may be marked in terms of larger units, provided that no fraction with a denominator greater than 8 be used.

(e) Statement of weight shall be in terms of the avoirdupois pound and ounce; statement of liquid measure shall be in terms of United States gallon of 231 cubic inches and its customary subdivisions, i. e., gallons, quarts, pints, or fluid ounce, and shall express the volume of the liquid at 68° F. (20° C.); statement of dry measure shall be in terms of the United States standard bushel of 2,150.42 cubic inches and its customary subdivisions, i. e., bushels, pecks, quarts, or pints, or, in the case of articles in barrels, in terms of the United States standard barrel and its lawful subdivisions, i. e., third, half, or threequarters barrel, as fixed by act of Congress March 4, 1915 (38 Stat. 1186); provided, that statement of quantity may be in terms of metric weight or measure, if immediately followed by a statement in terms of equivalent United States standard weights and measures. Statement of metric weight shall be in terms of kilograms or grams. Statement of metric measure shall be in terms of liters or cubic centimeters.

(f) The quantity of solids shall be stated in terms of weight and the quantity of liquids in terms of measure. The quantity of viscous or semisolid foods or of mixtures of solids and liquids may be stated either by weight or measure, but the statement shall be definite and shall indicate whether the quantity is expressed in terms of weight or measure, as, for example, "weight 12 oz." "12 oz. avoirdupois," "volume 12 oz." or "12 fluid ounces."

(g) The quantity of the contents shall be stated in terms of weight or measure unless the package is marked by numerical count and such numerical count gives accurate information as to the quantity of the food in the package.

(h) The quantity of the contents may be stated in terms of minimum weight, minimum measure, or minimum count, for example, "minimum weight 10 ounces," "minimum volume 1 gallon," or "not less than 4 fluid ounces," but in such case the statement must approximate the actual quantity and there shall be no tolerance below the stated minimum.

[No i.]

(j) The following tolerances and variations from the quantity of the contents

marked on the package shall be allowed:

1. Discrepancies due exclusively to errors in weighing, measuring, or counting which occur in packing conducted in compliance with good commercial practice.

2. Discrepancies due exclusively to difference in the capacity of bottles and similar containers, resulting solely from unavoidable difficulties in manufacturing such bottles or containers so as to be of uniform capacity; provided, that no greater tolerance shall be allowed in case of bottles or similar containers which, because of their design, can not be made of approximately uniform capacity than is allowed in the case of bottles or similar container which can be manufactured so as to be approximately uniform capacity.

3. Discrepancies in weight or measure due exclusively to differences in atmospheric conditions in various places and which unavoidably result from the ordinary and customary exposure of the packages to evaporation or to the absorption of water. Discrepancies under classes (1) and (2) of this paragraph shall be as often above as below the marked quantity. The reasonableness of discrepancies under class (3) of this paragraph will be determined

on the facts in each case.

(k) A package containing one-half avoirdupois ounce of food or less is "small," and shall be exempt from marking in terms of weight.

(1) A package containing one fluid ounce of food or less is "small" and

shall be exempt from marking in terms of measure.

(m) When a package is not required by paragraph (g) to be marked in terms of either weight or measure and the units of food therein are six or less, it shall, for the purpose of this regulation, be deemed "small" and shall be exempt from marking in terms of numerical count.

RULE 88. Quarantining of foods (sec. 2060b-12).—(a) The form of notice to be used in quarantining of food products—three copies should be made, one attached to goods, one given to person in charge of goods, and one retained by

health officer:

NOTICE OF QUARANTINE

To whom it may concern:

All persons are warned not to remove any portion or part of the above-mentioned articles, quarantined, without the permission of the ______ County Board of Health or a court authorized to give such order.

This notice of quarantine is given this day (date) in accordance with section 2060b-12 of the Kentucky statutes.

DIRECTOR ----- COUNTY HEALTH DEPARTMENT.

(b) The form of notice to be sent to owner of goods-two copies should be made, one delivered to owner of goods and one retained by health officer:

You are hereby notified that under section 2060b-12 of the Kentucky statutes (name, amount of food, and label), owned by you and located at (location of food) having been put in quarantine by order of the County Board of Health, dated (date) under section 2060b-12, you are given the right to a hearing before the director of County Health Department within date, to give reason why this food should not be destroyed.

An answer to the above may be made at this office, either by person or by attorney, oral or written

oral or written.

After the time permitted, within which such a hearing may be held, the

County Health Department contemplates making a petition to the court requesting order for condemnation of the above food products.
Respectfully,

COUNTY HEALTH DEPARTMENT.

(c) The form of petition to be used to county, police, or circuit judge in asking for order of destruction-three copies should be made all signed by health officer and judge, one copy returned to health office files, one retained by clerk of court, and one delivered to sheriff or officer who supervises destruction:

this petition.

---- COUNTY HEALTH DEPARTMENT.

It appearing from the above petition and affidavit that the following property, viz: (description of kind of food, amount, and label) and now in the possession of (place where food is located) and owned by (name and address of owner) is adulterated and detrimental to public health, [it] is now ordered by the court that same be destroyed at once by (name of officer) a _______ officer of _______.

JUDGE OF THE ____ _ COUNTY COURT.

(d) Form of affidavit to accompany petition.—There should be two affidavits if possible, though one may do, one copy of each affidavit should accompany copy of petition retained by clerk of court and one copy of each affidavit should be kept in health department files:

The affiant _____ says he is a citizen and resident of ______County, Kentucky, that he has personally examined the following described articles of food, viz: (name, amount, and label) owned by (name of owner) and now in the possession of (place located) in _______ County, Kentucky, and that in his opinion same is adulterated, detrimental to public health, and unfit for consumption.

(Signature of affiant)

Subscribed and sworn to before me this the _____ day of _____

Notary Public.

Rule 89. Prohibiting the use of saccharin, saponin, and hydrogen peroxide (sec. 2060-a).—The use of saccharin or any other artificial sweetening agent of no food value and the use of saponin or hydrogen peroxide is absolutely forbidden in the preparation for sale of any food or beverage intended for human consumption.

Rule 90. Prohibiting use of abnormal canned goods (sec. 2060a, 2060b) .-Canned goods in tin or glass exhibiting abnormality in appearance, such as rusting of containers, the condition known as swells, as springers or other unusual condition, are considered as adulterated and detrimental to the public health; and it is the duty of officials to prevent the sale of and ultimately to cause the destruction of such products; and further, that no distinction is drawn between the so-called hydrogen swells and swells of other types.

Eggs-Traffic in-Candling-When Deemed Unfit for Food. (Reg. Bd. of H., December 12, 1927)

Rule 129. Regulating the candling and the sale of eggs (sec. 1905a-60-64).— 1. No person shall sell any egg that is unfit for human food.

2. All eggs bought or sold after May 15 of each year and before January 15

of the following year shall not be bought or sold unless candled.

3. The following eggs are deemed unfit for human food: (a) An addled egg, (b) a moldy egg, (c) black rots, (d) white rots, (e) an egg containing a blood ring, (f) an egg with an adherent yolk, (g) an egg with a bloody white, (h) an egg with a green white, (i) an egg incubated beyond the blood-ring stage, (j) any decomposed or putride or filthy egg.

4. No payment shall be made for eggs unfit for human food.

5. Each person buying or selling eggs must keep a record of all eggs bought, using the following headings: "Date," "name from whom purchased," "number eggs good," "number eggs bad."

6. These records shall be shown to the authorized inspector of the State board of health when requested. Hold the last year's records until the inspector calls.

7. Every person buying or selling eggs must be provided with a proper candling apparatus.

8. A candling apparatus must not have more than two openings for the examination of the eggs. Openings must not exceed 1½ inches in diameter.

A candling apparatus must permit the rotation of the eggs being examined.
 The light used in the candling apparatus must be strong enough to permit examination of the interior of each egg.

11. Every person buying eggs for resale must provide a partially dark room or place for the candling of eggs bought or sold.

12. All hucksters buying or selling eggs must carry records of candling with

them or must keep such records available at place of candling.

13. All eggs offered for sale by retailers, who are not certified dealers themselves, shall be contained in proper egg case or container bearing a statement pasted on each end of such case, which statement shall set forth in letters not less than 1 inch in height the name of the certified dealer from whom the eggs were bought, the address of certified dealer, and in letters not less than one-fourth inch in height the date of candling of the eggs. No erasures or change in this lettering or the date shall be permitted. Cases so labeled must not be refilled except by a certified dealer and then relabeled and dated.

14. All eggs withdrawn from storage must be recandled before being offered for sale and must be labeled "Storage eggs" in addition to the requirements of

regulation 13.

15. On April 1 of each year each dealer in eggs must pay an annual fee to the State board of health for a certificate to handle eggs until March 31 of the year following.

16. The fee should be sent with application to the State board of health, director, bureau of foods, drugs, and hotels, Sixth and Main Streets, Louisville, Ky. Payment may be made to authorized inspectors, who will issue a receipt.

17. Dealers in less than carload lots of eggs pay a fee of \$2.

18. Dealers in carload lots of eggs pay a fee of \$10.

19. Dealers and hucksters having more than one place of business must pay a

fee and secure a certificate for each place of business.

20. Certificates issued to an individual or firm may be transferred if the individual changes the location of his egg business, but can not be transferred from one person or firm to another person or firm. Notice should be sent to the State board of health of change of address so a second certificate may be issued with the new address when the old certificate is returned.

Eating Places—Certificate—Sanitary Requirements for Various Grades. (Reg. Bd. of H., December 12, 1927)

RULE 138. Definitions for restaurants (sec. 2059-1-3).—(a) A restaurant is an eating establishment where food is prepared and served to patrons at tables.

(b) Every restaurant must make application and pay the fee for a certificate on or before January 1 of each year

on or before January 1 of each year.

- (c) The receipt for application or the certificate must be posted according to law.
- (d) A certificate is not transferable from one person to another or from one town or address to another.
 (e) In the case of sale of any restaurant, the same should be immediately
- reported to the State board of health, Sixth and Main Streets, Louisville, Ky.

 (f) No restaurant is allowed to be kept or maintained without a certificate

from the State board of health.

(g) A short-order café is an eating establishment where food is prepared and

served to patrons at a counter.

(h) A cafeteria is an eating establishment where food is prepared and is on display and is served directly to patrons as selected. Patrons serving themselves entirely or in part.

[No. i.]

(j) A luncheonette is an eating establishment in which a limited variety of food is prepared and is served directly from heating or chilled containers to patrons at a counter.

(k) A sandwich stand is an eating establishment at which that type of food, including hamburgers, "barbecue," "coney island," "hot dogs," etc., form a

majority of that served.

RULE 139. Regulating the inspection and grading of resaturants (sec. 2060b-1-11).—(a) A grade "A" restaurant shall comply with (b) through (f) of rule 138 and the following regulations:

1. The building in which a restaurant is located shall be of permanent construction and shall afford complete protection from rain, etc. It shall have sound floors, walls, and ceiling and shall have ample space for cooking and serving food.

2. The kitchen shall be separate from the dining room and no food shall

be served to patrons in any part of the kitchen.

3. The lighting (artificial or natural) shall be sufficient and shall prevent deep shadows in any part of the kitchen.

4. The ventilation of the kitchen shall be adequate and shall prevent the accumulation of smoke, fumes, or odors in the kitchen and dining room.

5. The walls and ceiling of the kitchen shall be smooth, painted a light color,

and kept clean.

6. The floor of the kitchen shall be properly drained and kept clean. All dust and dirt shall be kept from behind and under stoves, refrigerators, and other furniture.

7. The kitchen shall be provided with running hot and cold water and proper sewer connections when available. The water supply shall be of a safe, sani-

tary quality.

8. All openings to the outside shall be screened with wire cloth to prevent entrance of flies. Screen doors shall open outward and be self-closing.

Windows shall be kept clean inside and outside.

9. Every restaurant must be provided with proper toilets for use of the employees. The toilet shall not open directly into the kitchen or any room where food is prepared or served. A wash room shall be provided for use of the employees near to the toilet. Every restaurant must be equipped with a public wash room and toilet for use of patrons. Individual towels must be provided for employees and patrons. The use of common towel is prohibited.

10. A locker room for employees shall be provided separate from any room in

which food is prepared.

11. Supplies shall be stored outside of the kitchen and protected from contamination. Sugar, lard, coffee, meal, crackers, bread, and other food supplies shall be kept in tight sanitary containers with tight fitting lids. Flour shall be protected from dampness and vermin. No spoiled canned goods or other

spoiled food shall be kept or used.

12. Table tops in the kitchen or scullery shall be impervious to liquids. Dishes shall be kept in an inclosed safe, case, or cupboard. Sanitary knife and fork boxes shall be used. Cracked and chipped dishes must not be used or kept in kitchen or dining room. All dishes, utensils, including glasses, must be washed in soapy hot water and thoroughly scalded with boiling water or sterilized with an approved sterilizing solution. The use of mechanical dishwashers using steam is recommended. (See rule 117.)

13. Refrigeration must be adequate to prevent spoilage; the placing of meat directly on the ice is forbidden; plates or other sanitary containers must be

used. (See rule 128 for special regulations on oysters.)

14. Food being prepared and ready for service must be protected from dust, flies, persons, vermin, or unnecessary handling. All food remaining after each guest must be placed in the garbage can. No "come backs" allowed to be entered, reserved, or used in the preparation of any food.

15. The refrigerators, ice boxes, cooking utensils, and implements shall be

clean and free from accumulated grease.

16. The restaurant shall be free from vermin, such as rats, mice, roaches, and flies. Cats and dogs are not allowed in any kitchen or dining room.

17. No bed or cot shall be permitted in any kitchen or any room adjoining the kitchen or room where food is prepared or stored.

18. The lighting (artificial and natural) of the dining room shall be sufficient for reading purposes and the avoidance of deep shadows.

19. All doors and windows in the dining room opening to the exterior shall be screened to prevent the entrance of flies. Screen doors shall be self-closing and open outwards.

20. All foods, relishes, condiments, etc., in the dining room shall be protected from flies, persons, dust, and vermin. Milk shall be served to patrons in the

original container.

21. All table tops, coverings, curtains, windows, service china, silverware, etc., used in the dining room shall be kept clean. The walls and ceilings and floors of the dining room shall be kept clean.

22. Metal garbage cans with tight-fitting lids must be provided. The lids must be kept on the cans. All garbage must be removed from the premises

once each day.

23. No articles, boxes, papers, trash, furniture, or anything not used in the preparation or serving of the food shall be allowed in the kitchen or dining room. Back yards shall be kept clean and no boxes, rubbish, trash, or waste shall be permitted in back yards. Slops and waste matter must not be thrown or emptied in back yards.

24. No person or persons having a contagious or infectious disease, or the carrier of a contagious or infectious disease, shall be allowed to operate or work

in a restaurant. Proprietors are responsible.

25. All employees and proprietors shall wear clean clothes and when preparing, handling, or serving food shall have clean hands, persons, and habits. Smoking or use of tobacco is strictly forbidden while preparing or serving food. Spitting is prohibited except into proper cuspidors kept in a clean condition.

26. A public or common drinking cup is forbidden in any part of a restaurant. Individual cups or a properly designed drinking fountain shall be provided for use of patrons and employees. The drinking water supplies shall be of safe,

sanitary quality.

(b) A grade B restaurant shall conform to all the requirements of a grade A

restaurant except 4, 5, 10, 11, and 12c.

(c) A grade C restaurant shall conform to all the requirements of a grade B restaurant except 1c (ample dimensions), 3, 6a (properly drained floors), 9 (hand-washing facilities), 12d (dish cupboards).

(d) A grade D restaurant does not meet the requirements of a grade C

estaurant.

Rule 140. Regulating the inspection and grading of cafeterias, short-order cafés and luncheonettes (sec. 2059-1-3; sec. 2060b-1-11); 1 (a) A grade A short-order café shall comply with all the requirements for a grade A restaurant including (b) through (f), rule 138, and (1) through (26), rule 139 (a) except that food may be prepared in the space in which it is served.

(b) A grade B short-order café shall comply with all the requirements for a grade A short-order café, except 4, 5 (smooth walls and ceiling), 10, 11, 12

(automatic dishwasher).

(c) A grade C short-order café shall comply with all the requirements for a grade B short-order café except 1 (ample dimensions), 3, 6 (properly drained floors), 9 (hand-washing facilities near the toilet), 12 (dish cupboards). boards).

(a) A grade A cafeteria shall comply with all the requirements for a grade A restaurant including (b) through (f), rule 138, and (1) through (26), rule

139 (a)

(e) A grade B cafeteria shall comply with all the requirements for a grade A cafeteria except 4, 5 (smooth walls and ceiling), 10, 11, 12 (automatic dishwasher).

(f) A grade C cafeteria shall comply with the requirements for a grade B cafeteria except 1 (ample dimensions), 3, 6 (properly drained floors), 9 (hand-washing facilities near the toilet), 12 (dish cupboards).

(g) A grade D cafeteria or short-order café is a cafeteria or short-order café which does not comply with the requirements for a grade C cafeteria.

(h) A grade A luncheonette shall comply with all the requirements for grade A restaurant except that part of (19), rule 139, requiring screening of all doors, but including (b) through (f), rule 138 and (1) through (26), rule 139 (a). Freedom from flies is specified.

(j) A grade B luncheonette shall comply with all the requirements for a grade A luncheonette except 4, 5 (smooth walls and ceiling), 10, 11, 12

(automatic dishwasher).

(k) A grade C luncheonette shall comply with the requirements for a grade B luncheonette except 1 (ample dimensions), 3, 6 (properly drained floors), 9 (hand-washing facilities near the toilet), 12 (dish cupboards).

(1) A grade D luncheonette is a luncheonette which does not comply with

the requirements for a grade C luncheonette.

RULE 141. Regulating the inspection and grading of sandwich stands (sec. 2059-1-3; sec. 2060b-1-11).—(a) A grade A sandwich stand is a sandwich stand which conforms to all the following regulations as well as sections (b) through (f), rule 138.

1. Housing.—The space occupied affords complete protection from rain and has a whole and sound floor of wood or more permanent construction.

2. Lighting.—That the natural and artificial lighting is sufficient and adequate for all the purposes of serving and eating of the food prepared and served therein.

3. Walls and ceiling .- All interior surfaces shall be painted with a lightcolored paint at least once a year.

4. Water.—An ample supply of water and heated surfaces shall be provided for all needs. The water shall be of a safe, sanitary quality.

5. Sewerage.-Waste disposal shall conform to the specifications of the

State board of health.

- 6. Toilets.—Toilets used by employees while on duty shall conform to the specifications of the State board of health. The toilet must not open directly into any part of the sandwich stand. Hand-washing facilities must be provided with individual towels and soap. Common towels or roller towels are prohibited.
- 7. Equipment .- Table or counter tops on which food is prepared or served must be impervious to liquids and must be kept clean. Facilities for cleaning and scalding any service ware in use shall be provided, and in case of glasses used for drinks, paper cups or facilities for hypochlorite or other approved sterilization shall be provided. Service of drinks directly or in individual bottles with or without straw shall conform to this specification. (See rule 117.)

8. Refrigeration.—Refrigeration shall be adequate to prevent the spoilage of foodstuffs and the softening of ice cream. See rule 128 for special regulations

on oysters.

9. Food protection.—Raw and prepared food shall be protected from constamination by dust, flies, persons, vermin, or unnecessary contact. This shall mean in connection with all ice-cream cans or containers that they shall be kept properly covered when not in use. All dippers used for dipping ice cream shall be properly sterilized after use.

10. Cleanliness.—All stationary surfaces and interiors of ice boxes and storage places, cooking surfaces and utensils, and serving implements and ware

shall be clean.

11. Vermin.—There shall be entire freedom from vermin—that is, rats, mice, roaches, etc.

12. Domestic use.-No part of retail establishment, nor any space opening directly into it, shall be used for sleeping or domestic purposes.

13. Protection of garbage.—Garbage and wastes shall be disposed of in a manner resulting in the minimum exposure to flies, vermin, or domestic animals, and with the least tendency toward a nuisance.

14. The establishment shall be entirely free of unnecessary litter and rub-

bish, such as paper, empty containers, etc.

15. All employees shall be free from tuberculosis and typhoid fever and other communicable diseases, etc.

- 16. Cleanliness of employees.—All employees shall wear clean cloth clothing, and when serving, preparing, or handling food shall have clean hands and persons.
- 17. Decomposed foods.—There shall be no spoiled foods or spoiled canned goods exposed for sale or for use in preparation of foods in a sandwich stand.

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(b) A grade B sandwich stand shall conform to all the requirements of a grade A sandwich stand except (2).

- (c) A grade C sandwich stand shall conform to all the requirements of a grade B sandwich stand except 10, 6, (hand-washing facilities near toilets),
- (d) A grade D sandwich stand is a sandwich stand which does not comply with the requirements of a grade C sandwich stand.

Hotels, Rooming Houses, Furnished-Room Establishments, and Boarding Houses—Certificate—Sanitary Requirements for Various Grades. (Reg. Bd. of H., December 12, 1927)

RULE 135. Definitions for hotels (sec. 2059).—(a) A hotel is an establishment which provides sleeping accommodations for transient as well as permanent guests and has in connection dining rooms or restaurants where meals are served. Hotels are operated on the "American" or "European" plan.

(b) Sleeping accommodations are defined as a bed, bunk, cot, or sleeping place for the use of the guests, provided with proper mattress, and pillow,

covered with at least two sheets and necessary pillow slip and other covering for the time of year. Blankets must be used for bed covering. Comforters and quilts are not permitted. The bed may be in an individual room or in a dormitory and is furnished to guests for consideration by the day, week, or month.

(c) Every hotel must make application and pay fee for a certificate on or

before January 1 of each year.

(d) The receipt for application or the certificate must be posted according to the law.

(e) A certificate is not transferable from one person to another or from

one place to another.

(f) In the case of sale of a hotel, the same should be immediately reported to the State board of health, Sixth and Main Streets, Louisville, Ky.

(g) A rooming house is an establishment which provides sleeping accommodations for transient as well as permanent guests and does not have a restaurant or dining room in connection. A rooming house may have lighthousekeeping rooms.

(h) A house having furnished rooms is an establishment which provides sleeping accommodations for guests by the week or month and does not take transient guests and does not have a dining room in connection. The fur-

nished rooms may be of the light-housekeeping type,

 A boarding house is an establishment which provides sleeping accommodations for guests, transient, by the week or month, and serves meals to those

guests having rooms or to guests coming into meals, or to both.

RULE 136. Regulating the inspection and grading of hotels (secs. 2060b-1-11, 2059).—(a) A grade A hotel complies with the following regulations: Sections (1) through (26), rule 139, applying to the sanitation of the dining rooms and kitchen and general condition of all hotels, the requirements (b) through (f), rule 135, and following regulations:

1. Hallways and public rooms in the hotel shall be properly ventilated, properly lighted, and properly heated in cold weather. Rugs and carpets shall be kept clean and in good condition. All windows in the hotel must be well

screened during fly season and kept clean at all times.

Bedrooms shall be clean as to all surfaces and fixtures. Each bedroom shall be provided with at least one window or door opening to the outside of the building or an open court. Bedrooms shall be properly heated in cold weather and ventilated.

Bathtubs, toilet seats and bowls, basins, slop jars, cuspidors, and other bedroom vessels shall be kept clean and in good condition and sterilized each day

with an approved disinfectant.

2. Clean sheets and pillow slips must be provided for each guest. All new sheets shall be 99 inches in length and of sufficient width to cover mattress and spring. Sheets shrunk to less than 90 inches are not permitted for use. Pillows, mattresses, bed springs, and slats must be kept clean and in good condition. All beds and bedrooms shall be free of vermin infestation.

3. Individual towels must be supplied in each bedroom and in all public toilets for the use of guests and employees. A common towel is prohibited.

4. Running hot and cold water shall be supplied in all bedrooms and public washrooms for guests and employees. The water shall be of a safe, sanitary

quality.

5. Every hotel shall provide suitable and adequate toilets and public washrooms for guests and shall maintain them in a clean manner. All toilets shall be connected with an approved sewerage system, if such is available, or sewage disposal shall be constructed in accordance with the specifications of the State board of health. Separate public toilets and washrooms shall be provided for men and women and shall be plainly indicated.

6. Equipment as to fire escapes, fire hose, fire gongs, and fire extinguishers

shall conform to the requirements of the State fire marshal's office.

7. Lighting of fire escapes shall conform to the requirements of the State fire marshal's office. (b) A grade B hotel shall conform to the requirements for a grade A hotel,

except 4, rule 136.

(c) A grade C hotel shall conform to the requirements for a grade B hotel, except 1, rule 139, 4 (running hot and cold water in washroom), 6, 3 (individual towels in the room), in rule 136.

(d) A grade D hotel is a hotel which does not conform to the requirements of

a grade C hotel.

Rule 137. Regulations on the inspection of rooming houses, furnished rooms, and boarding houses (secs. 2059, 2060-1-11).—(a) A grade A rooming house shall comply with all the requirements of a grade A hotel, except 2, through 21, of rule 139, but including (b), through (f) of rule 135.

(b) A grade B rooming house shall conform to the requirements for a grade A

rooming house, except 4, rule 136.

(c) A grade C rooming house shall conform to the requirements for a grade B rooming house except 1, rule 139, 4 (running hot and cold water in washroom), 6, 3 (individual towels in the room), in rule 136.

(d) A grade D rooming house is a rooming house which does not conform to

the requirements of a grade C rooming house.

(e) A grade A furnished room establishment shall comply with all the regulations for a grade A rooming house including (b) through (f), rule 135.

(f) A grade B furnished room establishment shall conform to the requirements for a grade B rooming house.

(g) A grade C furnished room establishment shall conform to the requirements for a grade C rooming house.

(h) A grade D furnished room establishment does not conform to the require-

ments for a grade C furnished room establishment.

(i) A grade A boarding house shall comply with the requirements of a grade A hotel, including (b) through (f), rule 135, and excepting item 10, rule 139.

(k) A grade B boarding house shall conform to the requirements for a grade

A boarding house except 4, rule 136.

(1) A grade C boarding house shall conform to the requirements for a grade B boarding house, except 1, rule 139 (individual towels in the room), 4 (running hot and cold water in washroom), and 6, rule 136.

(m) A grade D boarding house is a boarding house which does not conform

to the requirements of a grade C boarding house.

Bakeries-Sanitary Requirements for Various Grades. (Reg. Bd. of H., December 12, 1927)

Rule 122. Definition for bakeries (sec. 2060b-1-11).—A bakery is an establishment producing by baking food products, such as bread, crackers, pies, cakes, confections, and including candies. The definition of all food products used or sold in a bakery shall conform to the definitions and standards of these foods as required by law.

Rule 123. Regulating the grading of bakeries.—(a) A grade A bakery.—A

grade A bakery shall conform to the following requirements:

1. The building in which a bakery is located shall afford complete protection from rain, etc. It shall have sound floors, walls, and ceilings and shall have ample space for preparing dough, fillings, confections, baking, cooking, washing, cooling, wrapping, and other operations necessary to the business.

2. The bakeshop or rooms in which mixing, baking, and cooling are done

shall be separate from the retail shop.

3. The lighting (natural or artificial) shall be sufficient and shall prevent

deep shadows in any part of the bakeshop.

4. The ventilation of the bakeshop shall be adequate and shall prevent the accumulation of smoke, fumes, or odors in the bakeshop.

5. The walls and ceiling of the bakeshop shall be smooth, painted a light

color, and kept clean.

- 6. The floor of the bakeshop shall be properly drained and kept clean; it shall be so constructed as to permit flushing and washing with water. All drains shall be trapped.
- 7. The bakeshop shall be provided with running hot and cold water, and proper means of waste disposal approved by the State board of health shall be provided for. The water supply shall be of safe sanitary quality as determined by survey and analysis.

8. All openings to the outside shall be screened with wire cloth to prevent entrance of flies; screen doors shall open outward. Windows shall be kept

clean inside and outside.

9. Every bakery shall be provided with proper toilets for use of the employees. The toilet shall not open directly into the bakeshop or any room in which food is prepared or sold. A washroom with running hot and cold water, individual towels, and soap shall be provided for the use of employees near to the toilet. Before beginning work and after use of the toilet employees must wash hands and arms thoroughly in clean water and soap. The use of the common towel is prohibited.

10. A locker room for employees shall be provided separate from any room

in which food is prepared.

11. Supplies shall be stored outside of the baking room and shall be protected from contamination. Sugar, lard, butter, cooking oils, milk, preserves, jams, and other supplies shall be kept in tight sanitary containers with tight-fitting lids. Flour shall be protected from dampness and vermin. No spoiled, rancid, or unwholesome foods of any type shall be used in the manufacture of bakery products or permitted to remain in a bakery.

12. All barrels, boxes, tubs, pails, kneading troughs, machines, racks, pans, or other receptacles used for holding materials from which bakery products are manufactured shall be kept clean and wholesome at all times and shall be

so as to be easily and conveniently cleaned.

13. All racks on which bread and bakery products are cooled shall be kept clean and free from dust and flies during the time they are removed from the

oven and wrapped or packaged for delivery or placed on sale.

14. No bread or other bakery product shall be exposed during the time it is intended or offered for sale to the dust of the street or to other contamination. No person shall handle any unwrapped bakery product with unclean hands, and no bread, cake, pie, or other bakery products shall be hauled, transported, or delivered without being safely protected from dust or other contamination by wrapping or covering. Unwrapped bread, cakes, or pies shall not be handled by drivers, deliverymen, grocers, or other dealers with unclean hands.

15. All show cases, shelves, or other places where bread or other bakery products are exposed for sale shall be kept well covered or screened, well protected from dust and flies, and shall be kept in a sweet, clean, and wholesome

condition at all times.

16. The bakery shall be free from vermin, such as rats, mice, roaches, and flies. Cats and dogs are not allowed in any bakery or retail room of a bakery.

flies. Cats and dogs are not allowed in any bakery or retail room or a bakery.

17. No bed or cot shall be permitted in any kitchen or any room adjoining the bakery or retail shop where bakery goods are sold. No living room, stable, or garage shall open directly into a retail room.

18 The lighting (artificial and natural) of the retail room shall be suf-

ficient for reading purposes and the avoidance of deep shadows.

19. All doors and windows in a retail shop opening into the exterior shall be screened or protected to prevent the entrance of flies. Screen doors shall be self-closing and shall open outward.

20. No bread, cakes, pies, or other bakery products shall be handled or fingered by intended purchasers unless such product shall in fact be purchased

by such persons and not intended for further sales.

21 All table tops, counters, show cases, knives, etc., used in the retail shop shall be kept clean. The walls and ceiling and floors of the retail shop shall be kept clean.

22. Metal garbage cans with tight-fitting lids must be provided, and the lids must be kept on the cans. All garbage must be removed from the premises

once each day.

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23. No articles, boxes, papers, trash, furniture, or anything not used in the preparation of bakery products shall be allowed in the bakeshop. Back yards shall be kept clean and no boxes, rubbish, trash, or waste shall be permitted in back yards; slops and waste matter must not be thrown or emptied in back yards.

24. No person or persons having a contagious or infectious disease, or the carrier of a contagious or infectious disease shall be allowed to operate or work

in a bakery. Proprietors are responsible.

25. All employees and proprietors shall wear clean outer clothes and when preparing, handling, or serving food shall have clean hands, persons, and habits. Smoking or use of tobacco is strictly forbidden while preparing or serving food. Spitting is prohibited except into proper cuspidors kept in a clean condition.

(b) A grade B bakery.—A grade B bakery is a bakery which complies with all of the rules governing a grade A bakery except 4, 5, 10, 11, 12, except that

at no time shall conditions be insanitary.

(c) A grade C bakery.—A grade C bakery is a bakery which complies with all of the rules governing a grade B bakery except sections 1, 3, 6, and 9.

(d) A grade D bakery.—A grade D bakery is a bakery which does not conform to the specifications of a grade C bakery.

Grocery Stores-Sanitary Requirements for Various Grades, (Reg. Bd. of H., December 12, 1927)

Rule 120. Definition for grocery stores (sec. 2060b-1-11).—A grocery store is a retail establishment selling food, staples, groceries, and frequently meat, milk, fresh vegetables, and eggs, etc. The definition of all food products sold in a grocery store shall conform to the definitions and standards of these foods as required by law.

RULE 121. Regulating the grading of grocery stores.—(a) A grade A grocery store.-A grade A grocery store shall conform to the following rules:

1. Housing.—The space occupied affords complete protection from rain and has a whole and sound floor of wood or more permanent construction,

2. Lighting.—The natural and artificial lighting is sufficient and adequate to

prevent deep shadows in any part of the sales room or storage rooms.

3. Walls and ceiling.—All interior surfaces shall be painted with a lightcolored paint at least once a year. Clean papering will pass, but it is not recommended.

4. Water.—An ample supply of water and heated water shall be available for all needs. The water shall be of a safe, sanitary quality.

5. Sewcrage.-Waste disposal shall conform to the specifications of the State

board of health.

6. Toilet.—A toilet for the use of employees shall be provided on the premises or conveniently located and shall conform to the specifications of the State board of health. The toilet shall not open directly into any part of the grocery store. Hand-washing facilities shall be provided with towels and coap. Common towels or roller towels are prohibited.

7. Equipment.—Counters, cases, shelves, or table tops on which food is placed for sale or display shall be impervious to liquids and must be kept clean. Knives or other utensils and dishes which come in contact with food for sale must be kept clean and some means of washing such equipment must be provided.

8. Refrigeration .- Refrigeration shall be adequate to prevent the spoilage of

foodstuffs. Milk shall be kept at 50° F. (See rule 128 on oysters.)

9. Food protection.—Raw and prepared food shall be protected from contamination by dust, flies, vermin, or unnecessary contact. This shall mean in the case of milk, that no milk shall be dipped in a grocery store or sold other than in the original container. That no foods shall be exposed on the side-walks except those foods which have a rind or skin which is removed in the process of preparing for food, and which are not injured by exposure to sun and drying.

10. All stationary surfaces and interiors of show cases, ice boxes, and storage

places shall be kept clean at all times.

11. Vermin.—There shall be entire freedom from vermin, that is, rats, mice. roaches, etc.

12. Domestic use.—No part of a retail establishment nor any space opening directly into it shall be used for sleeping or domestic purposes.

13. Protection of garbage.—Garbage and wastes shall be disposed of in a manner resulting in the minimum exposure to flies, vermin, or domestic animals, and with the least tendency towards nuisance.

14. The establishment shall be entirely free of unnecessary litter and rubbish,

such as paper, empty containers, etc.

15. All employees shall be free from tuberculosis and typhoid fever and other communicable diseases, etc.

16. Cleanliness of employees.—All employees shall wear clean outer clothing and when serving, preparing, or handling food shall have clean hands and

17. Decomposed foods.—There shall be no spoiled foods or spoiled canned

goods exposed for sale in a grocery store.

18. All grocery stores buying eggs from persons other than a certified dealer must have a certificate for handling eggs and must candle all eggs between May 15 and January 15.

(b) A grade B grocery store.—A grade B grocery store shall conform to all

rules governing a grade A grocery store except 2.

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(c) A grade C grocery store.—A grade C grocery store shall conform to all the rules governing a grade B grocery store except 1, 6, and 11.

(d) A grade D grocery store.—A grade D grocery store is a grocery store which does not conform to grade C specifications.

Slaughterhouses—Sanitary Requirements for Various Grades. (Reg. Bd. of H., December 12, 1927)

Rule 124. Definition for slaughterhouses (sec. 2060a).—A slaughterhouse or packing plant is a place in which meat or meat products from cattle, swine, or poultry are slaughtered, handled or stored. The definitions of all meat or meat products slaughtered, prepared, manufactured, handled or stored in a slaughterhouse or packing plant for sale to the public shall conform to the definitions of these foods as required by law.

RULE 125. Regulations covering the inspection and grading of slaughterhouses (sec. 2060b-1-11).—(a) A grade A slaughterhouse or packing plant should

comply with the following rules:

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1. It shall be the duty of all stockyards or slaughtering houses or packing plants which keep animals over 24 hours to set aside and maintain at the expense of the owners thereof a quarantine pen of such size and construction as may be prescribed by the State board of health which shall be provided with a suitable lock, and in which pen shall be placed at once all animals failing to

pass inspection, or suspected of being diseased and awaiting inspection.

2. All slaughterhouses shall have suitable floors constructed preferably of concrete and in such a manner as to be watertight and which shall be drained so as to carry off all waste and blood. All floors shall be thoroughly scrubbed and cleaned each day after the slaughtering has been completed. Where floors or other parts of a building or tables or other parts of the equipment, are so old or in such poor condition that they can not be readily made sanitary, they shall be removed and replaced by suitable materials. All floors upon which meats are piled during the process of curing, shall be of concrete or similar material and be so constructed that they can be kept in a sanitary condition, and all meat piled upon floors shall be suitably protected from trucks, etc. Walks and platforms or approaches leading into establishments shall be kept clean to prevent tracking dirt into the same.

3. Ceilings, walls, pillars, partitions, etc., shall be so constructed as to be kept and shall be kept in a sanitary condition, and when necessary they shall

be washed, scraped, painted or otherwise treated as required.

4. All openings to outside shall be screened to prevent the entrance of flies. Screened doors shall open outward and be self-closing. Doorways which are impossible to protect by screens shall be protected by suitable fan system. Windows and doors shall be kept clean inside and outside.

5. Every slaughterhouse or packing plant or other place in which meat or meat products from cattle, swine, or poultry are slaughtered, handled, or stored shall be suitably ventilated and free from odors from toilet rooms, catch basins,

casing departments, tank rooms, hides, cellars, etc.

6. Every slaughterhouse or packing plant or other place in which meat or meat products from cattle, swine, or poultry are slaughtered, handled, or stored shall be suitably lighted.

7. The rooms or compartments in which meats or meat food products are prepared, cured, stored, packed, or otherwise handled shall be kept free from flies

and other vermin by screening or other methods.

Sa. There shall be properly located toilet facilities. All water-closets, toilet rooms, and dressing rooms shall be connected with the sewer when located on a line of sewers, otherwise they shall be connected with a proper system of sewage disposal approved by the State board of health and be entirely separated from compartments in which carcasses are dressed, or meat or meat food products are cured, stored, packed, handled, or prepared. Where such rooms open into compartments in which meat or meat food products are handled they must be provided with properly ventilated vestibules and with automatically closing doors. All water-closets shall be kept in a clean and sanitary condition.

8b. Proper washing facilities shall be provided for the use of all employees, with running hot and cold water, soap, towels, etc., and these washrooms shall

be located convenient to toilet rooms.

9. All slaughterhouses and packing plants shall have an abundant supply of water from wells, springs, or other sources properly protected from contamination and approved by the State board of health.

10a. Every slaughterhouse and packing plant shall be provided with efficient drainage and have proper sewage disposal. Such disposal shall be arranged so that no water or other refuse of any kind may soak into the ground underneath and around the building or be led from the building in such a way as to produce odors or otherwise become a nuisance. There shall not be any blind wells, cesspools, or privy within the slaughtering house. Sewage connections shall not be made of wood, but shall be made of closed vitrified tile or cast iron, together with tight joints or of some similar material and construction. Liquid wastes, where possible, shall either be run into the city sewer, provided that this does not place an undue burden upon existing purification works, or upon the stream into which the city sewage empties; or there shall be provided adequate means for the purification of the wastes. The site selected, the disposal of sewage, or means for sewage purification, must be according to plans approved by the State board of health.

10b. The feeding of hogs or other animals on the refuse of slaughterhouse shall not be permitted on the premises, nor shall any such refuse be fed to any animals intended for slaughter. All offal shall be cleaned away and d.sposed of daily, either by tanking or removal from the premises of the plant. The system for and operations connected with the treatment of offal for fertilizer, grease, or other purposes shall be in a separate building or in a different part of the building from that in which products intended for food are handled, separated by masonry, and no fertilizer or other products of the tanked offal shall be stored or brought into any place or room where products intended for food are handled or stored. Such tankage operations shall be conducted in a sanitary manner and the rendering and other rooms and equipment shall be cleaned daily after use.

11. No use incompatible with the proper sanitation shall be made of any part of the premises on which a slaughterhouse or packing plant is located. All yards, fences, pens, chutes, alleys, etc., belonging to the premises of such establishment whether they are used or not shall be mantained in a sanitary condition, and no nuisance whatsoever shall be allowed in the establishment or on its premises.

12. All trucks, trays, and other receptacles, all chutes, platforms, racks, tables, etc., and all knives, saws, cleavers, and other tools, and all utensils, machinery, and vehicles used in moving, handling, cutting, chopping, mixing, canning, or other processes shall be thoroughly cleaned before using and shall be kept clean at all times.

13. All implements used in dressing diseased carcasses shall be sterilized either in boiling water or by immersion in a prescribed disinfectant followed by rinsing in clean water. Facilities for such cleansing and disinfection shall be provided by the establishment. Following the slaughter of any animal affected with an infectious disease, a stop should be made until the implements have been cleansed and disinfected, unless other clean implements are provided.

14. Facilities shall be provided so that an abundant supply of water both hot and cold may be applied with adequate pressure from a hose to any part of the room or rooms used for the purpose of slaughtering or preparing meats for consumption as human food,

15. Due care must be taken to prevent meat and meat products falling on the floor; and in the event of their having fallen, they must be condemned or the soiled portions removed and condemned.

16. All chill rooms, refrigerating chambers, ice boxes, and so on shall be properly constructed to meet all san.tary requirements necessary for the purpose for which used and shall be carefully operated with respect to the temperature, humidity, and general sanitary condition necessary to the wholesomeness of the product or products stored therein.

17. Wagons or cars in which meat or meat food products are transported shall be kept in a clean and sanitary condition. The wagons used in transporting loose meat shall be so closed and covered that their contents shall be kept clean and free from contamination. All deliveries of meat or poultry from a slaughterhouse, refrigeration room, or other producing plants in which such meat or meat products are produced or stored shall be in a cleanly and sanitary manner, and the product be fully protected from dust, flies, and other dirt and contamination.

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18a. Managers of establishments shall require employees to be cleanly. Persons who handle meat or meat products shall be required to keep hands clean. Carcasses shall not be inflated with air from mouth, and carcasses shall not

be dressed with skewers, knives, etc., that have been held in the mouth. Spitting on whetstones or steels when sharpening knives shall not be allowed. All rooms or compartments shall be provided with cuspidors of such shape as not readily to be upset and of such material and construction as to be readily disinfected, and employees who expectorate shall be required to use them.

18b. Aprons, smocks, or other outer clothing worn by employees who handle meat or meat food products shall be of a material that is readily cleansed and made sanitary and only clean garments shall be worn. Employees shall be required to pay particular attention to the cleanliness of their boots or shoes.

18c. Persons affected with tuberculosis or any other communicable disease shall not be employed in any of the departments of the establishment where carcasses are dressed, meats handled, or meat food products are prepared. No employee having an infected hand shall be permitted to handle meat or meat products.

18d. Employees who handle diseased carcasses or parts shall cleanse their hands of all grease and then immerse them in proper disinfectant and rinse

them in clean water.

(b) A grade B slaughterhouse.—A grade B slaughterhouse shall conform to

the requirements of a grade A slaughterhouse except 1, 3, 5, 6, 14.

(c) A grade C slaughterhouse.—A grade C slaughterhouse shall conform to the requirements of a grade B slaughterhouse except 2, 4, 10a, 11, 12, 13, 16, 18a, 18b, and 18d.

(d) A grade D slaughterhouse.—A grade D slaughterhouse does not meet

with the requirements of a grade C slaughterhouse.

Soda Fountains—Sanitary Requirements for Various Grades. (Reg. Bd. of H., December 12, 1927)

RULE 118. Definition for soda fountains and soft-drink stands (sec. 2060b-1-11).—A soda fountain or soft-drink stand is a retail establishment operated in a confectionery, a drug store, a bakery, a restaurant, a sandwich stand, or by itself, serving soft drinks, ice cream, sodas, sundaes, confections, etc. The definitions of all food products sold in a soda fountain shall conform to the definitions and standards of these foods as required by law.

Rule 119. Regulation on grading of soda fountains.—(a) Grade A soda foun-

tain.—A grade A soda fountain shall conform to the following rules:

1. Housing.—The space occupied affords complete protection from rain and

has a whole sound floor of wood or more permanent construction.

2. Lighting.—That the natural and artificial lighting is sufficient and adequate for all the purposes of serving and eating of the food prepared and served therein.

3. Walls and ceiling.—All interior surfaces shall be painted with a light colored paint at least once a year. Clean papering will pass but is not recom-

mended.

4. Water.—An ample supply of water and heated water shall be available for

all needs. The water shall be of a safe, sanitary quality.

5. Sewerage.—Wastes disposal shall conform to the specifications of the State Board of Health of Kentucky.

6. Toilets.—Toilets used by employees while on duty shall conform to the specifications of the State board of health. The toilets must not open directly into any part of the stand. Hand-washing facilities must be provided with individual towels and soap. Common towels or roller towels are prohibited.

7. Equipment.—Table or counter tops on which food is prepared or served must be impervious to liquids, and must be kept clean. Facilities for cleaning and disinfecting any service ware in use shall be provided, and in case of glasses used for drinks, paper cups or facilities for hypochlorite or other approved sterilization shall be provided. Service of drinks directly in individual bottles, with or without straw, shall conform to this specification.

8. Refrigeration.—Refrigeration shall be adequate to prevent the spoilage of

foodstuffs and the softening of ice cream.

9. Food protection.—Raw and prepared food shall be protected from contamination by dust, flies, vermin, or unnecessary contact. This shall mean in connection with all ice-cream cans or containers that they shall be kept properly covered when not in use. All dippers used for dipping ice cream shall be properly sterilized after use. The dipping of milk is prohibited.

10. Cleanliness.—All stationary surfaces and interiors of ice boxes and storage places, cooking surfaces and utensils and serving implements and ware shall be clean. Paper cups and straws shall be protected from contamination by dust and flies.

11. Vermin.—There shall be entire freedom from vermin, that is, rats, mice,

roaches, etc.

12. Domestic use.—No part of a retail establishment, nor any space opening

directly into it, shall be used for sleeping or domestic purposes.

13. Protection of garbage.-Garbage and wastes shall be disposed of in a manner resulting in the minimum exposure to flies, vermin, or domestic animals, and with the least tendency toward nuisance.

14. The establishment shall be entirely free of unnecessary litter and rubbish,

such as paper, empty containers, etc.

15. All employees shall be free from tuberculosis and typhoid fever and other

communicable diseases, etc.

16. Cleanliness of employees.—All employees shall wear clean outer clothing and when serving, preparing, or handling food shall have clean hands and

17. Decomposed foods.—There shall be no spoiled foods or spoiled canned

goods exposed for sale or use in a soda fountain.

18. Use of ice-cream can or milk containers.—No ice-cream can or milk containers shall be used for any purpose other than the storage or transportation of ice cream or milk.

(b) A grade B soda fountain.—A grade B soda fountain shall conform to all rules governing a grade A soda fountain, except 2,

(c) A grade C soda fountain.—A grade C soda fountain shall conform to all rules governing a grade B soda fountain except 1, 6, and 11. (d) A grade D soda fountain.—A grade D soda fountain is a soda fountain

Soda Fountains and Eating Places-Sterilization of Eating and Drinking Utensils. (Reg. Bd. of H., December 12, 1927)

which does not conform to the specifications of a grade C soda fountain.

RULE 117. Disinfection of soda fountain glasses and utensils and all dishes and eating utensils at public places (secs. 2049, 2060b-2).—(a) All containers and utensils, such as cups, spoons, and dishes, used for service to the public at soda fountains, or other similar establishments where beverages or other refreshments are served, shall consist of paper or other suitable fibrous material and shall be used only once; except that in those establishments where there exists adequate provision for sterilization the customary containers and utensils of durable material may be used, provided all such containers and utensils be sterilized before each service.

(b) Adequate provision for sterilization shall consist of an approved steam sterilizer, a supply of boiling hot water with soap or other detergent or an

effective hypochlorite solution, or other approved sterilizing solution.

(c) Sterilization shall consist of thorough washing of the utensils and containers and then treatment for the necessary time in the steam sterilizer or for one minute in boiling or water of 170° F., or immersion in a hypochlorite solution or other approved sterilizing solution of germicidal potency. Hand drying is not recommended. The provisions of this rule do not apply to products dispensed or served to the public in the original sealed containers.

(d) In order to insure proper cleansing and disinfection of dishes, glasses, and eating utensils in restaurants, lunch rooms, coffee houses, lunch stands, and similar establishments, one of the following methods of washing and cleansing

of such dishes and utensils is required:

Method I.—Dishes, glasses, and other eating utens'ls which are used more than once shall be thoroughly washed and cleansed in hot water containing soap or other effective cleansing agent in such a way as to remove completely all visible foreign matter.

They shall then be rinsed in clean boiling water for not less than one minute and drained. The temperature of such rinse water shall at no time fall below

170° F. Hand drying is not recommended.

Method II .- Dishes, glasses, and other eating utensils which are used more than once shall be thoroughly washed and cleansed in hot water containing soap or other effective cleansing agent in such a way as to remove completely all visible foreign matter. They shall then be immersed for at least one minute in clean water to which has been added a chlorine disinfectant in such quantity as to yield approximately 100 parts per million of available chlorine (one-half ounce of a solution of chlorinated soda U. S. P. per gallon of wash water). The amount of available chlorine in such rinse water shall at no time be less than 35 parts per million and the water shall be kept clean at all times. Any other approved disinfectant may be used in place of hypochlorite. Hand drying

is not recommended.

Method III.—Dishes, glasses, and other eating utensils which are used more than once shall be thoroughly washed and cleansed in clean hot water containing an inorganic cleansing agent to which has been added a chlorine disinfectant in such quantity as to yield approximately 200 parts per million of available chlorine. The washing shall be carried out in such a manner as to remove completely all visible foreign matter. The water shall be changed when dirty. The washing mixture shall at no time contain less than 35 parts per million of available chlorine. The dishes and utensils shall then be rinsed in clean water and drained. Hand drying is not recommended. This rule shall not apply to cups, dishes or spoons made of paper, wood, or similar material, which are used but once and thrown away.

Fruit or Vegetable Canneries—Inspection—Sanitary Requirements for Various Grades (Reg. Bd. of H., December 12, 1927)

Rule 132. Regulation of canneries and food factories, other than bakeries, ice-cream plants, and bottling plants (secs. 2049, 2060b-1-11).—The definitions of all food products prepared, manufactured, preserved, or canned for sale shall conform to the definitions of these foods as required by law. A canning or preserving factory is any factory, plant, or room in which the receiving, prepa-

ration, canning, or preserving of food products for sale is done.

Rule 133. Inspection of canneries (sec. 2060b-1-11).—At least once during each canning season the State board of health shall inspect every fruit or vegetable cannery. In case the inspector representing the State board of health discovers a violation of any item of sanitation, he shall make a second inspection not more than 24 hours later, if the violation was of the "C" type, and the second inspection shall be used for determining the grade of the cannery. One copy of the inspection report shall be left with the operator of the canning factory at the time of inspection and one copy of the inspection shall be filed with the records of the State board of health. The list of the fruit and vegetable canning factories inspected, with their grades, shall be published in the annual report of the bureau of foods, drugs, and hotels.

During each canning season at least three samples consisting of one-half peck of the raw fruits or vegetables and 12 No. 2 or No. 3 cans of that day's pack shall be sent at least a week apart during the canning season to the public service laboratories with the proper data as determined by the State board of

health.

Rule 134. Regulating the inspection and grading of canneries.—At the end of the canning season the State board of health shall announce the grades of all fruit or vegetable canneries. Such grades shall be based on the following standards:

(a) Grade A cannery.—A grade A cannery is a cannery conforming to all of the following items of sanitation and the final product of which conforms with all the standards required under the State regulations and definitions:

1. Building and equipment.—Floors: The floors of all rooms, platforms, receiving sheds, except those rooms used for the storage of cans and canned goods, shall be constructed of concrete or other equally impervious material and shall be smooth, properly drained, and provided with trapped drains, and kept clean. (This section shall apply to the construction of receiving platforms of the canning season of 1929.)

2. Walls and ceilings.—The walls and ceilings of rooms in which preparing and canning of fruits and vegetables is done shall be smooth, free from dirt

accumulations, and kept clean during the entire canning season.

3. Doors and windows.—All openings to the outer air shall be effectively screened to prevent the entrance of flies. Tables used for peeling and packing may be further protected by use of fans. Doors leading to outside of building other than receiving platform shall be self-closing.

4. Lighting and ventilation.—All rooms shall be well lighted and ventilated.
5. Protection from contamination and flies.—The various canning operations

shall be so located and conducted as to prevent any contamination one to the other. All means necessary for the elimination of flies shall be used. This requirement shall be interpreted to include separate rooms for (a) the steaming, preparing, and filling operations, (b) the receiving and boiler rooms. Raw fruits and vegetables shall not be weighed or unloaded directly into the pre-

paring and filling room.

6. Toilet facilities.—Every fruit or vegetable cannery shall be provided with toilet facilities conforming with the regulations of the State board of health. There shall be at least one room or vestibule not used for canning purposes between the toilet room and any room in which fruits or vegetables other than in hermetically sealed cans are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be located at least 100 feet from the building and shall be of a san tary type constructed and operated in conformity with the regulations of the State board of health.

7. Water supply.—The water supply shall be easily accessible, adequate, and that used for washing and drinking purposes or in the preparation of foods

shall be of a safe sanitary quality.

8. Washing facilities.—Washing facilities shall be provided, including running water and soap. In case the factory is operated for more than 60 days hot running water and sanitary towels of a type approved by the State board of health shall be provided for use of employees. The use of a common towel is prohibited.

9. Cans.—Only new unused cans, jars or bottles shall be used as containers for canning or preserving food products. Enameled metal pans or pals shall

be used for carrying peeled stock.

10. Construction of equipment.—All equipment with which the uncanned food product comes in contact shall be constructed in such a manner as to be easily cleaned.

11. Disposal of wastes.—All wastes shall be disposed of in conformity with

the requirements of the State board of health.

12. Methods.—All pails, pans, peeling tables, and equipment shall be thoroughly cleaned after each usage and sterilized in a manner approved by the State board of health immediately before usage. (Steaming is recommended.)

13. Storage of containers.—Storage of empty cans and other food containers shall be in such a manner as to protect from dust and contamination.

14. Handling of containers and apparatus.—Between usage all containers and apparatus shall be handled in such a manner as to prevent contamination of the container or apparatus.

Storage of canned goods.—All canned products shall be stored in a dry

and proper place.

16. Processing and cooking.—All processing of canned goods shall be sufficient

for complete sterilization.

17. Addition of water or spoiled foods.—No water shall be added to canned tomatoes during the process of canning. No spoiled or green tomatoes shall be added or mixed with ripe tomatoes for canning.

18. Sorting and discarding.-At the time of of labeling, boxing, or other handling of canned goods, all cans showing abnormal exterior shall be discarded. No "flippers," "springers" shall be sold for food purposes. No cans showing evidence of external rust shall be sold except for immediate con-

sumption. 19. Every person employed in a canning factory shall be free from any infectious or communicable disease. The State board of health reserves the right to require medical examinations of all employees at any time.

20. Notification of disease.—Notice shall be sent the county health officer immediately by the manager of any canning factory among whose employees

any case of infectious, contagious, or communicable disease occurs.

21. Cleanliness.—All persons employed in the preparation of food for canning shall wear clean outer garments and shall keep their hands clean at all times while thus engaged. Female employees who prepare foods for canning shall wear aprons or dresses made of washable fabrics and shall also wear clean washable caps over the hair.

22. Employees with infected wounds on their hands or arms are prohibited from handling food products or containers in which food products are placed, before such containers are sealed or capped. Clean cuts, which are not infected

shall be covered with rubber "cots" securely fastened.

(b) A grade B fruit or vegetable cannery is a cannery conforming to all the items of sanitation required for a grade A cannery, excepting 2, 4, and 21.

(c) A grade C fruit or vegetable cannery is a cannery which does not meet

the requirements of a grade B cannery.

Bottling Plants-Inspection-Sanitary Requirements for Various Grades-Labeling and Standards of Beverages. (Reg. Bd. of H., December 12, 1927)

RULE 130. Definitions of bottling plants (sec. 2060b 1-11).—The following definitions shall apply in the interpretation and enforcement of these regula-

(a) Bottling plant .- A bottling plant is any place or premises or establishment where beverages, carbonated or still, are manufactured, prepared,

processed, bottled, or handled for distribution and sale to the public.

(b) Grading period.—The State board of health shall, at least once each year, make an inspection of every bottling plant in the State of Kentucky for the purpose of inspecting and grading and shall make reinspection as often as practicable.

(c) Disinfectant.-A disinfectant is any germicidal substance approved by

the State board of health.

- (d) Inspection of bottling plants.—In the annual inspection for grading in case the State board of health discovers a violation of any item of sanitation, they shall notify the bottling plant by letter of this violation and on notification by means of a signed statement from the bottling plant that the violations have been corrected, they shall make a second inspection at such time as is practicable, and the second inspection shall be used for determining the grade of the bottling plant. Two violations of these regulations within any one year shall immediately call for a degrading. One copy of the inspection report shall be left with the operator of the bottling plant at the time of inspection and one copy of the inspection report shall be filed in the records of the State board
- (e) Announcement of grades.—At least once each year the State board of health shall announce in the report of the bureau of foods, drugs, and hotels, the grades of all bottling plants inspected; such grades shall be based on the regulations in rule 131.

(f) Labeling.—The labeling of all food products bottled or sold by a bottling plant shall conform to the requirement of the labeling of food products in the

regulations of the State board of health.

(g) Food products.—All products used in the manufacture or preparation of beverages shall conform to the standards of that product as defined in the rules of the State board of health, and all finished beverages shall conform to the standards for these products as defined in rules of the State board of health.

RULE 131. Regulating the inspection and grading of bottling plants (sec. 2060b-1-11.—(a) A grade "A" bottling plant is a bottling plant conforming

with all the following items of sanitation:

1. Floors.—The floors of all rooms in a bottling plant shall be constructed of concrete or other impervious and easily cleaned material and shall be smooth and properly drained and provided with trapped drains and kept clean.

2. Walls and ceiling.—Walls and ceiling of rooms in a bottling plant shall be frequently painted with a light-colored paint or finished in a manner approved

by the State board of health and kept clean.

- 3. Doors and windows.—All openings into the outer air shall be effectively screened or otherwise protected to prevent the access of flies. Doors shall be self-closing.
 - 4. Lighting and ventilation.—All rooms shall be well lighted and ventilated.

5. Protection from contamination and flies.—The various bottling-plant operations shall be so located and conducted as to prevent any contamination one to the other. All means necessary for the elimination of flies shall be used. No part of the building in direct connection with the bottling plant shall be used

for a dwelling or stable.

6. Toilet facilities.—Every bottling plant shall be provided with toilet facilities conforming with the requirements of the State board of health, and there shall be at least one room or vestibule not used for bottling purposes between the toilet room and any room in which bottled goods or sirup are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be located at least 100 feet from the building and shall be of a sanitary type constructed and operated in conformity with the requirements of the State board of health.

7. Water supply.—The water supply for a bottling plant shall be easily ac-

cessible, adequate, and of a safe sanitary quality.

8. Washing facilities.—Washing facilities for employees shall be provided, including hot running water, soap, and sanitary towels of a type approved by the State board of health. The use of a common towel is prohibited.

9. Piping.—Only sanitary piping of a type that can be easily cleaned and sterilized shall be used in conveying sirups and beverages in the bottling

process.

10. Construction of equipment,—All equipment with which sirups or beverages come in contact during the process of bottling shall be constructed in such a manner as to be easily cleaned.

11. Disposal of wastes.—All wastes shall be disposed of in conformity with

the requirements of the State board of health.

12. Methods.—All bottling and bottling apparatus, including sirup jars and equipment in the sirup room, shall be thoroughly cleaned after each usage and sterilized in a manner approved by the State board of health immediately before

13. Storage of containers.—After sterilization, all bottles and other containers shall be stored in such a manner as to be protected from contamination.

14. Handling of containers and apparatus.—Between sterilization and usage all bottles and equipment shall be handled in such a manner as to prevent any part of the person from coming in contact with any surface with which sirups or prepared beverages come in contact.

15. Storage of caps.—Bottle caps shall be stored in a clean place and pre-

tected from contamination.

16. Preparation of sirups.—The sirups to be used for the manufacture of beverages shall be prepared in such a manner as to protect the beverage from contamination from dust, flies, and dirt. This shall mean the sirup room shall be free of flies.

17. Bottling.—The bottling shall be done in automatic machinery approved by the State board of health in such a manner as to prevent any part of the person or clothing from coming in contact with any surface with which beverages or sirups come in contact.

18. Capping.—Capping shall be done by machinery approved by the State board of health. Hand capping of bottled beverages is prohibited.

- 19. Health of employees.—Every person connected with a bottling plant whose work brings him or her in contact with the production, preparation, handling, storage, or transportation of beverages shall be free from communicable diseases.
- 20. Notification of disease.-Notification shall be sent to the county health officer immediately by any bottler in whose plant any case of sickness or any infectious, contagious, or communicable disease occurs.
- 21. Cleanliness.—(a) All persons coming in contact with sirup or beverage containers or equipment shall wear clean outer garments and shall keep their hands clean at all times while thus engaged.

(b) A grade B bottling plant shall conform to all of the requirements for a

grade A bottling plant except 1, 4, and 21.

(c) A grade C bottling plant does not conform to the requirements of a grade B bottling plant.

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Food-Cooking or Preparation in the Open. (Reg. Bd. of H., December 12, 1927)

Rule 126. Barbecuing.—No meat or other foods shall be cooked or prepared in the open unless duly protected at all times from dust and flies. The barbecuing or roasting of meat or other foods before open grates is included in this rule.

Food Stands at Fairs or on the Roadside-Sanitary Requirements. (Reg. Bd. of H., December 12, 1927)

RULE 127. The sale of foods and soft drinks at fairs or any open air stands (secs. 2049, 20606-1-11).—All persons, firms, or corporations operating stands or establishments where food is served at or within the fair grounds, or on any

roadside, and their employees, shall comply with each and all of the following requirements:

(a) All articles of food or drinks offered for sale to the public shall be free from adulteration and shall be clean and free from contamination.

(b) All articles of food or drink offered for sale to the public shall be free

from and protected from dust and flies.

(c) All restaurants, lunch stands, soft-drink stands, and every other character of stand that serves foods or drinks must be made fly proof by screening all openings with wire screening of not less than 14 mesh. An opening guarded by an electric fan in constant operation or with double-screened trap may be provided for serving the public.

(d) No food or drink in open containers shall be permitted to remain on the outer counter or in any other place where they may be contaminated by

flies and dust.

(e) No candy or other food or drink may be peddled in the open air or

through buildings unless protected from both flies and dust.

(f) Adequate facilities for the proper washing of dishes and utensils must be provided at all establishments.

(g) Requirements c, d, e, f, do not apply in the case of foods or drinks sold

in single sealed individual containers.

- (h) Individual paper cups shall be provided for the service of soft drinks or other beverages unless the same be served from the individual sealed container.
- (j) That all soft drinks and beverages shall be served from individual bottles or drawn or dispensed from inclosed sanitary containers such as inverted coolers or soda fountains and served in paper cups.
- (k) That no press mill or similar device shall be permitted in, or in close proximity to, the stand or place of business unless used in the actual production of the soft drink or beverage being sold or offered for sale from such stand or place of business.

(1) That no soft drink or beverage shall be prepared, mixed, or compounded in bulk in other than earthenware, glass, granite, or porcelain lined containers.

- (m) That all soft drinks and beverages in bulk, not made from pure fruits, shall have a label printed upon, or attached to, the container from which the soft drink or beverage is dispensed, with the word, "imitation," in bold-face type not smaller than 2 inches in height, the label to be so placed that it is in plain view of the public at all times.
- (n) All garbage must be burned or disposed of in fly proof covered containers.
 (o) All waste water must be disposed of in fly proof covered containers or deposited in the sewer.
- (p) Establishments providing individual paper cups must provide waste containers in front of their counters for the use of the public.
- (q) All persons serving, preparing, or handling food shall be clean in person and clothing; particular attention should be paid to the hands of food handlers.
 (r) The use of the common towel or drinking cup is prohibited in any form.

Shellfish—Handling, Shipment, Packing, and Sale. (Reg. Bd. of H., December 12, 1927)

Rule 128. Governing the handling and sale of shellfish subsequent to production and shipment (sec. 2049, sec. 2060a-8, sec. 2060b-1-11).—(a) No oysters, clams, scallops, or other shellfish shall be sold or offered for sale in the State of Kentucky unless such shellfish shall have been produced and shipped in conformity with the regulations of the State in which they were grown or packed, and unless the shipment shall have been accompanied by tag, label, or other mark showing that the shipper has been duly certified by the State in which his plant is operated, such certification having been approved by the United States Public Health Service for shipments in interstate commerce.

(b) All shippers, reshippers, packers, and wholesalers shall keep an accurate record, subject to inspection by proper officials, of all lots received, shipped, and sold. All retailers shall keep an accurate record, subject to inspection by

proper officials, of all lots received.

(c) Shell oysters and clams shall be handled under such temperature conditions as will keep them alive; that is, at a temperature below 50° F., but above freezing temperature.

(d) Shell oysters and clams shall have been shipped in clean barrels or sacks, plainly marked with the name, address, and identification mark of the

shipper.

(e) Shucked oysters shall have been packed in containers sealed in such manner that any tampering is easily discernible, and be marked with the name and address and identification mark of shipper or packer. All shipping containers shall have been washed and sterilized by an approved method before being filled.

(f) For refrigeration of shucked stock, outside containers should be provided for ice, and no ice or other foreign substance shall be allowed in contact with the shellfish. Shucked stock should be kept at a temperature of 50° F. or below from the time it leaves the shipper until the time it reaches the con-

sumer, but should not be allowed to freeze.

(y) All shucked stock received by wholesalers or retailers shall be kept in the original containers, which shall not be opened except as required for dispensing by the retailers.

(h) Shucked stock in bulk shall be sold only under the following conditions:(1) Containers from which they are dispensed shall be marked with the name

and address or identification mark of the shipper.

- (2) When the container is opened, either by packer, wholesaler, or retailer, it shall be done under proper sanitary precautions. All utensils coming in contact with the raw food shall be sterilized before use, in accordance with approved methods, and containers furnished by the dealer for dispensing to consumers must be clean. The manual handling of shucked oysters is prohibited.
- (3) Persons handling shucked stock in retail dispensing shall be subject to the same regulations and supervision that apply to other food handlers.
- (4) Any adulteration or the addition of any water or ice is prohibited.
 (5) The display of shucked stock in open cans, windows, or showcases is prohibited.

(6) Proper refrigeration shall be provided in all places, including retail stores, where shucked stock is kept.

Water Supplies—Prevention of Pollution—Cross Connections. (Reg. Bd. of H., December 12, 1927)

Rule 151. Protection of streams, lakes, or reservoirs (sees. 2054, 1278) — No person shall put the carcass or any part thereof of any dead animal or the offal from any slaughterhouse, butcher house, or fish house or any other spoiled meat or fish or any putrid animal substance upon the bank of or into any river, stream, pond, lake, reservoir, waterworks, well, c stern, or other place connected with a domestic water supply, or permit any such things to remain on any such premises owned by him which endangers the water supply of any family or community.

RULE 152. No cross connections, auxiliary intakes, or by-passes (sec. 2054).— No physical connections shall be permitted between any potable public water supply either through cross connections, auxiliary intakes, or by-passes and

other supplies except as follows:

1. With another potable public water supply.

2. With a potable supply which is regularly examined as to its quality by those in charge of potable public supplies to which the connection is made. This will apply to all private systems, whether inside or outside of any building or buildings.

Water Supplies and Sewerage Systems—Approval of Plans and Specifications for Installation, Alteration, or Extension. (Reg. Bd. of H., December 12, 1927)

Rule 148. Plans for water supplies and sewers to be approved (sec. 2054).—No municipality, corporation, institution, or person shall install or enter into contract for installing any public water supply or system of sewerage until complete plans and specifications fully describing such water supply or system of sewerage have been submitted to and received the approval of the State board of health in writing.

RULE 149. Change of plans to be approved (sec. 2054).—Water supplies and sewer contracts. No municipality, corporation, institution, or person shall

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make or enter into contract for making any additions or alterations in any public water supply which involve a change in the source of supply or change in the method of treating the water for purification purposes until complete plans and specifications fully describing such additions or alterations have been submitted to and received the approval of the State board of health in writing. No municipality, corporation, institution, or person shall make or enter into contract for making any additions or alterations in any system of sewerage which involve any change in the outfalls or change in the methods of disposing of the sewage until complete plans and specifications fully describing such add tions or alterations have been submitted to and received the approval of the State board of health in writing.

Industrial Plants—Location—Purification of Wastes. (Reg. Bd. of H., December 12, 1927)

Rule 150. Sites and plans of certain manufacturing plants (sec. 2054).— No municipality, corporation, institution, or person shall adopt a site for the location of any manufacturing or other industry which produces putrescible or otherwise objectionable liquid wastes, until said site is approved by the State board of health, and some method for adequately purifying such wastes, satisfactory to the board, has been adopted. This shall include slaughterhouses and milk plants.

Places of Public Resort Not Connected with Sewer—Toilets. (Reg. Bd. of H., December 12, 1927)

Rule 154. Toilets in public buildings (secs. 2054, 2059a-4).—All hotels, restaurants, health resorts, courthouses, food establishments, schoolhouses, theaters, motion-picture houses, railway and trolley stations, and other places of public resort and use, not on a line of and actually connected with an approved system of sewers, shall be provided with a Kentucky sanitary privy or other type of sewage disposal approved by the State board of health, proportional in size to number of persons likely to use them and with ample provision made for men and women. These toilets shall be so located as to be below the level or draining away from or remote from the well or spring and shall be under the charge of some reliable person to keep them clean and provided with toilet paper.

Privy Contents, Street Scrapings, or Other Refuse—Disposal. (Reg. Bd. of H., December 12, 1927)

Rule 153. Disposal of excrement and street scrapings.—No human excrement removed from privy vaults, street scrapings, or other refuse of any kind from within a city or town shall be deposited on the ground within one mile of the corporation limits of such city or town, and only then in a manner which will not create a nuisance or menace to health and upon a written permit from the health officer of the county in whose jurisdiction the territory lies.

Schools—Heating, Lighting, Ventilation, Water Supply, and Toilets—Common Drinking Cups Prohibited. (Reg. Bd. of H., December 12, 1927)

Rules 3, 10, 30, 31, 32, 33, 34, 35, and 39 apply to all schools.

Rule 63. Heating of schoolrooms (secs. 2054a-14).—All schoolrooms during the time they are in use shall be properly heated. The temperature with artificial heat should not be warmer than 68° F.

Rule 64. Ventilation and lighting (sec. 2054a-14).—Schoolrooms should be properly lighted and ventilated with strict regard to health, comfort, and

safety of pupils and teachers.

Rule 65. Water supply and water service (sec. 2054a-14, 1376e).—Every school shall be supplied with an ample water supply free from contamination and properly protected. Provision should be made for sanitary service of the drinking water supply. The use of the common drinking cup is prohibited.

Rule 66. Toilet (sec. 2054a-14).—All schoolhouses not connected with an approved system of sewers shall be provided with a Kentucky sanitary privy or other type of sewage disposal approved by the State board of health, proportioned in size to number of persons likely to use them and with ample pro-

vision made for girls and boys. These toilets shall be so located as to be below the level or draining away from or remote from the well or spring and shall be under the charge of some reliable person to keep them clean and provided with toilet paper.

Schools, Theaters, etc.—Supervision—Examination—Correction of Defects in. (Reg. Bd. of H., December 12, 1927)

Rule 3. Supervision over school and other buildings (sec. 2054a-14).—City and county boards of health shall exercise special supervision over the location, construction, drainage, water supply, heating, ventilation, plumbing, and disposal of excreta of the schools, schoolhouses, moving-picture theaters, and all other public buildings within their jurisdiction, and where any health faults exist it shall be the duty of said board of health, upon notification of the proper authorities, to immediately examine the same and advise and require such changes as will result in a correction of all existing defects.

Theaters and Assembly Rooms—Ventilation, Heating, and Cleanliness—Closing During Epidemic—Toilets. (Reg. Bd. of H., December 12, 1927)

Rule 181. Moving-picture and other theaters and assembly rooms (secs. 2049, 2054).—Moving-picture and other theater and assembly rooms shall be well ventilated, with ample provision for inlet of clean, fresh air and for keeping it in motion during all performances. They shall be heated when necessary to 68° F. The walls and floors shall be kept clean. At the discretion of the local board of health having jurisd ction, they may be closed by written order during any epidemic of disease likely to be spread by crowds. Toilets shall be kept clean and built in accordance with rule 154.

Hogs-Keeping. (Reg. Bd. of H., December 12, 1927)

Rule 187. No hogs in town and city limits, except on permission of health officer (sec. 2054).—No hogs shall be kept or fed in confinement, or permitted to run loose on the streets, within any incorporated city or town, or within a half mile of the limits thereof; both city and county boards of health, with n their respective jurisdiction, may grant permits for the keeping of hogs upon lands actually in use as farms or pastures where the space and cleanliness constantly maintained are such as to prevent offensive odors or other conditions inimical to the health or comfort of persons living adjacent to such lands or fields.

Manure-Keeping-Disposal. (Reg. Bd. of H., December 12, 1927)

Rule 188. Manure in public and private barns and yards (sec. 2054).—The manure from every public and private stable and the yards connected therewith located within the corporate limits of any incorporated town or city, or within half a mile of the boundaries thereof, shall be gathered and stored in fly-proof compact bins, or hauled away and broadly scattered on the fields and gardens, once each week from April 1 to November 1 each year, in order to stop the breeding of files.

Fair Grounds-Sanitary Requirements. (Reg. Bd. of H., December 12, 1927)

Rule 155. Water supply.—A water supply of sanitary quality shall be provided in ample quantity to meet all requirements of the maximum number of persons using or attending any public fair grounds in Kentucky. Said water supply shall be easly obtainable from its source or from faucets on a pipe distributing system within the grounds.

RULE 156. Toilets.—Fly-tight privies, water-flushed toilets, or other toilets shall be provided and shall be maintained in a clean and sanitary condit on. Separate installations for men and for women shall be provided and they shall be adequate for the accommodation of all persons attending or using the fair grounds.

RULE 157. Garbage.—Supervision and equipment sufficient to prevent I ttering of the ground with rubbish, garbage, or other refuse shall be provided and maintained. Fly-tight depositories for such materials shall be provided and conspicuously located. These depositor es shall not be permitted to become

foul smelling, or unsightly, or breeding places for flies. Contents must be removed at least every 24 hours.

Rule 127 governs the sale of food at fair grounds.

Camps—Sanitary Requirements—Certificate for Tourist Camps. (Reg. Bd. of H., December 12, 1927)

Rule 158. Camp sanitation (secs. 2049, 2054).—For a camp to be approved by the State board of health it is necessary that these requirements be met.

Tourists camps, however, are covered by special regulations.

(a) A water supply meeting the requirements of the United States Public Health Service shall be provided in ample quantity to meet all requirements of the maximum number of persons using the camp at any time. Said water supply shall be easily obtainable from its source or from a distr.buting system within the camp.

(b) Any water found unsafe for human consumption shall be either elimi-

nated or purified

(c) Fly-tight privies or water-flushed toilets with a system of sewage disposal approved by the State board of health shall be provided and shall be maintained in a clean and sanitary condition. Separate toilets for men and women shall be provided, one toilet seat for each 25 men and one for each 15 women, or fraction thereof, of the maximum number of persons occupying such camp at any time. No part of the camp shall be at a greater distance than 400 feet from both the men's and women's toilets. The location of all toilets shall be

plainly indicated by signs. (d) Privies shall be located in such a manner that streams, lakes, reservoirs, etc., will not be contaminated. If p.ts are used under the privies they

shall be protected against flies and the flooding with rain water.

(e) Supervision and equipment sufficient to prevent littering of the grounds with rubbish, garbage, or other refuse shall be provided and maintained. Flytight depositories for such material shall be provided and conspicuously located. These depositories shall not be permitted to become foul smelling or unsightly or breeding places for flies and mosquitoes.

(f) The method of final sewage or refuse d sposal utilized in connection with the operation of a camp shall be such as to create no nuisance or menace to

health and shall be approved by the State board of health.

(g) The camp site shall be so drained that water falling during a rain shall run off with the least possible delay. Pools of water shall not be allowed to accumulate on or near the camp. In the event that it is impossible to drain pools or swamps which now exist in or about camp, it is required that a film of oil be spread over the water surface to prevent mosquito breeding.

(h) All kitchens and mess halls must be effectively screened against flies. (i) No person shall be permitted to attend a camp without a certificate from a physician declaring that said person has been successfully vaccinated against smallpox within the preceding five years and inoculated against typhoid fever

within the preceding three years.
(k) The management of every camp shall assume responsibility for maintaining in good repair all sanitary appliances and shall promptly prosecute or eject from such camp any person who willfully or maliciously damages such

appliances, or any person who in any way fails to comply with these rules.

Rule 159. Regulation of tourist camps (secs. 2049, 2054, 2059).—No city, town, institution, person, firm, or corporation shall operate, maintain, or offer for use, or permit to be used within the State of Kentucky any tract of land on which persons may camp except after full and literal compliance with the following regulations:

(a) A water supply of sanitary quality shall be provided in ample quantity to meet all requirements of the maximum number of persons using such a tract at any time. Said water supply shall be easily obtainable from its source or from a distributing system within a distance of not more than 300 feet of any camping spot within such tract.

(b) Any water found unsafe for human consumption on such tract of land shall be either eliminated or purified, or shall be kept posted with placards

definitely warning persons against its use.

(c) Fly-tight privies or water-flushed toilets with a system of sewage disposal approved by the State board of health shall be provided and shall be maintained in a clean and sanitary condition. Separate toilets for men and women shall be provided, one toilet seat for each 25 men, and one for each 15 women, or fraction thereof, of the maximum number of persons occupying such tract at any time. No camp within such tract shall be at a greater distance than 400 feet from both men's and women's toilets. The location of

all toilets shall be plainly indicated by signs.

(d) Supervision and equipment sufficient to prevent littering of the grounds with rubbish, garbage, or other refuse shall be provided and maintained. Flytight depositories for such material shall be provided and conspicuously located and contents properly disposed of daily. Every camp on said tract shall be within a distance of not over 200 feet of such depository. These depositories shall not be permitted to become foul smelling or unsightly or breeding places for files.

(e) The method of final sewage or refuse disposal utilized in connection with the operation of a camp shall be such as to create no nuisance or menace

to health.

(f) The management of every public camp shall assume responsibility for maintaining in good repair all sanitary appliances on said ground and shall promptly prosecute or eject from such ground any person who willfully or maliciously damages such appliances, or any person who in any way fails to comply with these rules.

(g) Failure to comply with the foregoing regulations shall be deemed sufficient cause for declaring the premises a nuisance under the provisions of the

law.

(h) These regulations shall be printed and kept posted in a conspicuous

place in any such camp by the management of such ground.

(j) When the above regulations have been met, the city, town, institution, person, firm, or corporation operating the camp will be furnished with a certificate by the State board of health. This certificate will be revoked when an inspection shows that the above requirements are not being met. Where a certificate has been granted, permission will be given to erect a sign bearing the words "Approved camp." This sign will be of the size and erected in a manner specified in writing by the State board of health.

(k) All tourist camps furnishing sleeping accommodations must pay fee

under section 2059.

Housing for Employees—Sanitary Requirements. (Reg. Bd. of H., December 12, 1927)

Rule 182. Housing (sec. 2054).—Every person, firm, or corporation employing labor and providing housing for same, or for renting, leasing, or housing shall provide for each house or group of houses a pure, abundant, and accessible drinking water supply; shall prevent soil pollution by connection with or installation of a sanitary sewage system, or by the installation of Kentucky sanitary privy or other type approved by the State board of health; shall provide fly-proof screens for dining rooms and kitchens, and shall provide adequate housing room for each family. All plans for new installations and alterations of existing ones shall be submitted on request to the State board of health for approval of their sanitary conditions before beginning work on same. Owners of houses whose insanitary condition or surroundings cause disease to their inmates or neighbors shall be liable for the expense caused thereby.

Dead Bodies—Disinterment or Removal—Transportation. Coffins—Sale. (Reg. Bd. of H., December 12, 1927)

Rules 48 and 49 shall apply in the burial and removal of dead bodies. Rule 171. Disinterments.—No dead body shall be disinterred between May 1 and October 1 of any year unless such body has been buried five years or longer. No dead body shall be disinterred or removed at any time except upon a special permit issued by the State registrar upon application filed by the party desiring to make such disinterment and removal. Provided, Local registrars may issue permits for disinterment of bodies to be removed from one grave to another in the same cemetery in their own district if death did not result from any of the diseases mentioned in rule 48. (Application blanks for permits to disinter are

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furnished by the bureau of vital statistics, and must be signed by city or county health officer for district in which the disinterment is to be made.)

Rule 172. Preparation of disinterred bodies.—Every disinterred body, dead from any disease or cause, shall be treated as infectious or dangerous to the public health and shall not be removed or accepted for transportation until said remains or coffin or casket containing same has been wrapped in a sheet thoroughly saturated with an approved disinfectant fluid and inclosed in a hermetically sealed metal or metal lined box. The foregoing requirement may be waived at the discretion of the State registrar if it is shown in the permit that the body to be disinterred was embalmed and originally buried in a hermetically sealed or otherwise air-tight metal casket, box or vault. Bodies properly embalmed and deposited in receiving vaults will not be considered as buried, but may be removed for transportation and burial any time within thirty days from date of death without a special permit required in rule 171. After thirty days from date of death all such bodies shall be considered and treated as buried hodies.

RULE 173. Sale of coffins.—No person, firm, or corporation shall sell or furnish any coffin or casket for the burial or disposition of dead bodies until the purchaser shall have filed with the local registrar a complete death certificate and secured a burial permit: Provided, This rule shall not apply to persons, firms, or corporations engaged in the wholesale manufacture or selling of coffins or caskets.

Rule 174. Transit permit and label necessary (sec. 2049).—A transit permit and transit label issued by the proper health authorities shall be required for each dead body transported by common carrier. The transit permit shall state the name, sex, color, and the age of the deceased, the cause and date of death, the initial and terminal points, the date and route of shipment, a statement as to the method of preparation of the body, the date of issuance, the signature of the undertaker, the signature and the official title of the officer issuing the permit. The transit label shall state the place and date of death, the name of the deceased, the name of the escort of consignee, the initial and terminal points, the date of issuance, the signature and official title of the officer issuing the permit, and shall be attached to the outside case.

RULE 175. Transportation of bodies dead from communicable disease.—The transportation of bodies dead of smallpox, plague, Asiatic cholera, typhus fever, diphtheria (membranous croup, diphtheritic sore throat), scarlet fever (scarlet rash, scarlatina), erysipelas, anthrax, and leprosy shall be permitted only

under the following conditions:

The body shall be thoroughly embalmed with an approved disinfectant fluid, all orifices shall be closed with absorbent cotton, the body shall be washed with disinfectant fluid, enveloped in a sheet saturated with the same, and placed at once in a coffin or casket, which shall be immediately closed and the coffin or casket or the outside case containing the same shall be metal, or metal lined, and hermetically and permanently sealed.

RULE 176. Transportation of bodies dead of any disease other than communicable disease.—The transportation of bodies dead of any disease other than those mentioned in rule 175 shall be permitted under the following conditions:

(a) When the destination can be reached within 24 hours after death the coffin or casket shall be encased in a strong outer box made of good, sound lumber not less than seven-eighths of an inch thick; all joints must be tongued and grooved; top and bottom put on with cleats or crosspieces.

(b) When the destination can not be reached within 24 hours after the death the body shall be thoroughly embalmed and the coffin or casket placed in an

outside case constructed as provided in paragraph (a).

Rule 177. Transportation of any disinterred body.—No disinterred body dead from any disease or cause shall be transported by common carrier unless approved by the health authorities having jurisdiction at the place of disinterment, and transit permit and transit label shall be required as provided in rule 174. The disinterment and transportation of bodies dead of diseases mentioned in rule 175 shall not be allowed except by special permission of the health authorities at both the place of disinterment and the point of destination. All disinterred remains shall be prepared in accordance with rule 175: Provided, That bodies in a receiving vault when prepared by licensed embalmers shall not be regarded as disinterred bodies until after the expiration of 30 days.

Rule 178. Outside case may be omitted.—The outside case may be omitted

in all instances when the coffin or casket is transported in hearse or under-

RULE 179. Specifications for outside case.—Every outside case shall bear at least four handles, and when over 5 feet 6 inches in length, shall bear six

RULE 180. Approved disinfectant fluid.—An approved disinfectant fluid shall contain not less than 5 per cent of formaldehyde gas, or its equivalent; the term "embalming" as employed in these rules shall require the injection by licensed embalmers of not less than 10 per cent of the body weight, injected arterially in addition to cavity injection; and 12 hours shall elapse between the time of embalming and the shipment of the body.

Nuisances-Investigation-Abatement. (Reg. Bd. of H., December 12, 1927)

Rule 165. Health officer to investigate.—The local health officer, upon receiving a complaint of the existence within his jurisdiction of a nuisance which may affect health, or is so offensive to the senses as to interfere with the comfort or enjoyment of life, or when the probable existence of any such nuisance comes to his attention, shall make an immediate and thorough investigation, and it such nuisance exists he shall take all measures within his power and authority to secure its abatement.

Rule 166. Duties of health officer on receipt of complaint.—The health officer shall within five days of the receipt of the complaint file with the local board

(a) The complaint, if made in writing, or, if not made in writing, a summary thereof; or, if no complaint has been made, a statement of the facts; and

(b) A report showing: (1) His findings; (2) his opinion as to whether or not the conditions amount to a nuisance likely to affect health; (3) the action, if any, taken by him; and (4) whether such nuisance has been abated.

RULE 167. Board to convene.-If said report of the health officer states that there is a nuisance likely to affect health which has not been abated, the local board of health shall convene promptly, investigate the alleged nuisance, and take the necessary steps provided by law for its abatement, or, within a reasonable time from the filing of the health officer's report, enter on its minutes its decision, giving its reason for not taking action. Within 48 hours after the entry of such decision, the health officer shall forward a copy thereof to the State board of health, together with the original or copies of the papers filed by him with the local board.

RULE 168. Duty of health officer if board fails to act.—If, in the opinion of the State board of health, the conditions complained of constitute a nuisance likely to affect health and the abatement or removal thereof is necessary for the public good and for the protection of life and health, the said board may by notice to the presiding officer of the local board of health direct him to convene such local board to take certain definite proceedings concerning which the said board is satisfied that the action recommended by him is necessary for the public good and is within the jurisdiction of such local board of health.

Upon the receipt of such notice from the State board of health, the presiding officer of the local board of health shall promptly convene such local board, which shall take the action directed by the State board of hearth.

RULE 169. Form o	f notice to remedy insanitary conditions—
	COUNTY HEALTH DEPARTMENT
	NOTICE TO REMEDY INSANITARY CONDITION
Notice is given that	
city ordinances	ules and regulations of the State and county boards of health and notice is given to abate such conditions days.
Date	Health officer.

Two copies of this should be made—one should be delivered to the person responsible for condition and one retained for health department's files.

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RULE 170. Form for notice to abate nuisance-

NOTICE TO ABATE A NUISANCE

Office of the County Board of Health, Kentucky.
To
Owner, agent, or occupier of premises situated County:
Under the authority conferred upon this board by section 2067 of the Kentucky statutes, you are hereby notified that, after examination, a nuisance dangerous to public health (source of filth or cause of sickness) exists on the above-described premises, as follows:
DJ OTHER OF THE BOWTH.

Health officer, _____, M. D., Kentucky.

Three copies of this notice should be made—one copy should be delivered to the person responsible for the nuisance, one copy retained for the health department's files, and one copy retained for court use if necessary.

Swimming Pools—Sanitary Requirements. (Reg. Bd. of H., December 12, 1927)

Rule 160. Chemical and physical quality of swimming-pool water (secs. 2049, 2054).—(a) Excess chlorine: Whenever chlorine, calcium hypochlorite, or other chlorine compounds are used for swimming-pool disinfection, the amount of available or excess chlorine in the water at all times when pool is in use shall not be less than 0.2 p. p. m. or more than 0.5 p. p. m.

(b) Acidity alkalinity: Whenever alum or sulfate of alumina are used during purification or repurification of swimming-pool waters the water at all times

when the pool is in use shall show an alkaline reaction.

(c) Clearness: At all times when the pool is in use the water shall be sufficiently clear to permit a black disk 6 inches in diameter on a white field, when placed on the bottom of the pool at the deepest point, to be clearly visible from the sidewalk of the pool at all distances up to 10 yards measured

from a line drawn across the pool through said disk.

(d) Temperatures: The water in any swimming pool should not be artificially heated to a temperature above 72° F. The temperature of the air at any artificially heated swimming pool must not be permitted to become more than 8° F. warmer nor more than 2° F. colder than the water in the pool at any time when the pool is in use. For best results it is desirable that air temperatures should be about 5° F. warmer than the pool temperature.

Rule 161. Bacterial quality of swimming-pool waters (sec. 2049).—(a) Bacteria count on agar, two days, 20° C. (this count is optional): Not more than 10 per cent of samples covering any considerable period shall contain more than 1,000 bacteria per cubic centimeter. No single sample shall contain

more than 5,000 bacteria per cubic centimeter.

(b) Bacteria count on agar or litmus lactose agar, 24 hours, 37° C.: Not more than 10 per cent of samples covering any considerable period shall contain more than 100 bacteria per cubic centimeter. No single sample shall contain more than 200 bacteria per cubic centimeter.

(c) B. Coli—Presumptive test: Not more than 2 out of 5 samples collected on the same day, nor more than 3 out of any 10 consecutive samples collected on different dates to show a positive presumptive test in 10 cubic centimeters

portions.

(d) All chemical and bacterial analyses should be made in accordance with the procedures recommended in the standard methods of water analysis of the A. P. H. A. in so far as those methods are applicable to swimming-pool waters. Rule 162. Cleaning pools (sec. 2049).—(a) Visible dirt on the bottom of a swimming pool shall not be permitted to remain more than 24 hours.

(b) Any visible seum or floating matters on the surface of a pool shall be

removed within 24 hours by flushing or other effective means.

Rule 163. Bathing load limits (sec. 2049).—(a) Frequency of changing water: The total number of bathers using a swimming pool during any period of time shall not exceed 20 persons for each thousand gallons of clean water added to the pool during that period. The term "clean water" as used above may be interpreted to mean new clean water used to refill the pool, new clean water used to replace loss by splashing or during cleaning, water taken from the pool and returned after effective filtration, or any combination of such waters.

(b) Frequency of disinfection: At any pool where the addition of disinfectant is not continuous during the bathing period the total number of persons permitted to use the pool between any two consecutive disinfections shall not exceed seven persons for each 1,000 gallons of water in the pool and each disinfection shall be sufficient to insure that the bacterial quality of the water shall conform to the limits stated in rule 161 of these standards.

Rule 164. General (sec. 2049).—(a) The dressing rooms, hallways, toilet rooms, shower rooms, or other rooms to which patrons of bathhouses shall have access shall be kept clean and well ventilated at all times. No combs or

brushes for common use shall be provided for the use of patrons.

(b) Facilities shall be provided for adequately protecting the pool water against unnecessary sputum contamination by bathers.

(c) All persons known or suspected of being afflicted with communicable diseases shall be excluded from the pool.

(d) Each person immediately before entering the pool shall bathe with soap

(e) The construction and appliances shall be such as to reduce to a practical minimum danger of drowning and of injury to bathers from falls or collision. No swimming pools shall hereafter be constructed except after the plans are approved by the State board of health.

(f) Bathing suits and towels shall be thoroughly washed with soap and hot water and thoroughly rinsed and dried before being used.

Common Towels-Prohibited in Public Places. (Reg. Bd. of H., December 12, 1927)

Rule 184. Common towel forbidden (secs, 2049, 2059a-8).—No person, firm, or corporation owning, in charge of, or in control of any lavatory or wash room in any hotel, lodging house, restaurant, food establishment, factory, store, office building, railway or trolley station, or public conveyance by land or water shall provide in or about such lavatory or wash room any towel for common use. The term "common use" in this regulation shall be construed to mean for use by more than one person without cleansing.

Spitting-Prohibited in Public Places. (Reg. Bd. of H., December 12, 1927)

RULE 183. Spitting in public places forbidden (sec. 2049).—Spitting upon the floor of schools, courthouses or other public buildings or buildings used for public assemblage, or upon the floors, walls or platforms or any part of any railroad or trolley car or stations or boat, or any other public conveyance is forbidden. In order to prevent the conveyance of infective material to others, all persons should, in coughing and sneezing, properly cover the nose and mouth with a handkerchief or other protective substitute. It shall also be the duty of every person to observe all such regulations as may be issued by the State board of health to prevent the transfer of infective material from the nose and mouth.

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Standard Railway Sanitary Code. (Reg. Bd. of H., December 12, 1927)

[Rules 142 to 147, inclusive, contain the provisions of the standard railway sanitary code.]

Gasoline Containing Tetraethyl Lead — Use. Concentrate of Tetraethyl Lead — Sale, Distribution, and Handling. Carbon Monoxide — Warning Against Running Motor in Closed and Improperly Ventilated Garage. (Reg. Bd. of H., December 12, 1927)

RULE 189. Gasoline containing tetraethyl lead (secs. 2047a-1, 2050).—(a) Gasoline containing tetraethyl lead (ethyl gasoline) is a safe motor fuel and the use of the product in automobiles will not result in a hazard to the public health.

(b) The use of gasoline containing tetraethyl lead (ethyl gasoline) for any

purposes other than as a motor fuel is hereby prohibited.

(c) Gasoline containing tetraethyl lead (ethyl gasoline) is not a cleaning fluid and its use on the skin or for cleaning fabrics or other substances is dangerous. (Prompt and thorough washing of the skin which has come in contact with the product will prevent poisoning.)

(d) The sale or distribution of the concentrate of tetraethyl lead, except to refineries or bulk stations, is hereby prohibited. Such sale or distribution shall

be made in safe, sealed containers.

(e) The concentrate of tetraethyl lead shall not be handled or mixed with gasoline or any other substance, except in a manner that will fully protect the

persons handling it and any persons in the vicinity.

(f) Nothing herein contained shall be construed to prevent the sale or distribution of tetraethyl lead in concentrated form for experimental and research purposes or for use under special circumstances to persons whose applications therefor have been approved by the State Board of Health of Kentucky.

(g) Attention is called to the great danger and menace to life from carbon monoxide present in the exhaust gases from all types of motor fuels and all persons are warned not to run motors in a closed garage which is not properly

ventilated.

Barber Shops, Hairdressing Establishments, and Places Where Manicuring or Chiropody is Done—Sanitary Requirements. (Reg. Bd. of H., December 12, 1927)

Rule 185. Hair dressing establishments and barber shops (sec. 2049).—(a) Every barber or other person in charge of any barber shop or hairdressing establishment shall keep such shop at all times in a clean and sanitary condition.

(b) No person shall act as a barber who is affected with syphilis in the infective stage or with any other communicable disease enumerated in rule 4,

in an acute form, or with any communicable affection of the skin.

(c) A barber shop or hairdressing establishment maintained in a residence or other place where food is handled must be kept in a separate room from the living quarters. Candy, cigars, and other merchandise sold by barbers must be kept in an inclosed case or in a sealed package. Shops located in buildings where another business such as a pool hall is carried on should preferably be in a room separate from such business.

(d) Every barber shop or hairdressing establishment must be supplied with an adequate supply of hot and cold running water, supplied by city system or from tank or similar gravity-pressure container. The water supply shall be of

a safe, sanitary quality.

(e) The hands of the barber or hairdresser shall be washed with soap and

water before serving each customer.

(f) No shaving or lather brush shall be used in any barber shop unless the hair or bristles thereof have been immersed for three minutes in a solution of bichloride of mercury (1 to 1,000), as a safeguard against anthrax germs.

(g) Combs and brushes should be cleaned, then immersed in a solution of bichloride of mercury. (1 to 1,000), for at least three minutes, then rinsed in water and dried after each person has been served. The use of the common hairbrush and comb is prohibited.

(h) Razors and other instruments should be treated to a solution of bichloride of mercury or some equally efficient disinfectant for at least one minute.

(j) A kerosene, gasoline, or alcohol cleansing should be given clippers after each person is served.

(k) A thorough rinsing in hot water of shaving mugs after each patron is served is deemed sufficient.

(1) Hair dusters must be washed and disinfected at least once each day

Use of common powder puff or sponges is prohibited.

(m) There shall be a separate clean towel for each customer, and the headrest of paper or cloth must be changed for each customer. The dipping of

towels into water containers is prohibited.

(n) The use of styptic pencil and alum lump is prohibited. Alum or other material used to stop the flow of blood shall be applied in powdered or liquid form.

(o) The use of tube cream is advised. Barbers will not be allowed to remove

face cream from containers with the fingers.

(p) After the handling of a customer affected with any eruption, or whose skin is broken out, or is inflamed or contains pus, the hands of the barber shall be immediately disinfected. This shall be done by thorough washing with soap and water followed by rinsing in bichloride of mercury (1 to 1,000) or by the use of some equally efficient disinfectant.

(q) All instruments used for a customer affected with any of the abovenamed disorders shall be thoroughly washed and disinfected in accordance with

above section.

Rule 186. Manicurists and chiropodists (sec. 2049).—The utensils and instruments employed by manicurists and chiropodists in pursuit of their occupations shall be kept in a clean and sanitary condition. After serving customers affected with a visible skin disease the hands and instruments of the operators shall be immediately cleansed and sterilized. Every barber or other person in charge of any barber shop or place where manicuring or chiropody is done shall post a copy of this and the preceding rule in such shop.

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Eating and Drinking Establishments—Cleaning and Sterilization of Eating and Drinking Utensils. (Reg. Bd. of H., July 28, 1927)

[Sanitary code, chapter XIII, article 209, paragraph (d), amended and re-

enacted to read:]

ART. 209 (d). All eating and drinking utensils, including dishes, cups, glasses, spoons, knives, and forks (excepting those of paper, wood, etc., used but once before being issued for the use of the patrons of a restaurant, lunch stand, hotel, boarding house, ice-cream parlor, confectionery, soda fountain, beverage parlor, or other public or semipublic eating or drinking establishment, shall since the last preceding use have been thoroughly cleansed with hot water and soap, then sterilized either by immersing in clean boiling water, or by immersing for not less than 10 minutes in a sterilizing solution prepared by adding chlorine compounds to clean water, and containing 100 parts per million of available chlorine when freshly prepared. At no time shall the sterilizing solution yield less than 50 parts per million of available chlorine.

The owner, manager, agent, or other person in charge of any food or drink establishment enumerated in this article shall be severally and jointly responsible for the proper execution and enforcement of the regulations of this code, or any regulation governing said case or circumstances. After sterilizing in

chlorine solution, utensils shall be rinsed in clean hot or cold water,

Drying by draining is preferable to hand drying.

Paragraph (e) repealed. Paragraph (f) repealed. Paragraph (g) becomes paragraph (e).

Barber Shops—Annual Registration with State Board of Health. Barbers—Health Certificate Required. (Reg. Bd. of H., July 28, 1927)

[Sanitary code, article 247 and article 249, amended to read as follows:]

ART. 247. Every manager of a barber shop shall register his shop with the Louisiana State Board of Health, which shall keep a book for that purpose. Such registration shall be effected annually on or immediately prior to the 1st day of January in each and every year, provided that the manager of a barber shop opened for business after January 1 of any year shall register immediately upon opening for business, and shall reregister on January 1 following and annually thereafter. In the event of a change of a manager or the location of any barber shop, the manager of said shop shall call at or write to the board of health within five days after such change takes place in order that a corresponding entry in the register may be made.

ART. 249. (a) No person who is affected with any communicable disease shall

work or be permitted to work as a barber.

(b) Each barber shall obtain a medical certificate from the local health officer, after certification of freedom from all such diseases by a duly licensed physician. This certificate shall be renewed annually.

Gasoline or Oil Filling Stations—Annual Registration with State Board of Health. (Reg. Bd. of H., July 28, 1927)

That article 497 of the sanitary code of the State of Louisiana be and the

same is hereby amended and reenacted so as to read as follows:

"Arr. 497. Every person, firm, association, or corporation now operating a gasoline or oil filling station in this State shall, on or before the 1st day of January, 1928, and annually thereafter, register with the oil-inspection department of the Louisiana State Board of Health. Such registration shall be in writing and in such form as may be prescribed by the oil-inspection department and shall state the name and location of the filling station, the date established,

the name of the owner, and the name of the operator thereof, and the address of each. In the case of partnerships or associations, the full name of each

partner or associate shall be given.

"Every person, firm, association, or corporation who shall hereafter establish or operate such a filling station in this State shall immediately, prior to the opening thereof for business, or within one week after its opening, register same with the oil-inspection department of the State board of health, furnishing like information as hereinbefore provided for stations now in operation. This registration shall be valid until December 31 of the year in which such station was opened for business and such station shall thereafter, on or immediately before the 1st day of January in each year, register in like manner with the oil-inspection department.

"Every change in the name, location, or ownership of every filling station now or hereafter established in this State shall be promptly notified to the

oil-inspection department."

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Certain Dogs Brought into State—Reports Concerning—Muzzling, Leashing, or Vaccination. (Reg. Dept. of H., June 2, 1927)

Section 1. Any person bringing into this State a dog which, within six months, has been in any State where rabies is prevalent, or where cases of that disease had occurred within six months prior to bringing the dog into Maine, shall, within two days after the arrival of the dog in this State, notify the State department of health, Augusta, Me., of the place from which the dog has come and the dog's destination in this State, giving the name of the person who brings the dog or who has charge of him or is responsible for his trans-

portation into the State.

Sec. 2. Any person owning, having an interest in, or having the care, charge, control, or possession of any dog which has been brought or has come from any State where there have been cases of rabies within six months or from any State where rabies is present, shall, for two months after its arrival in this State, keep the animal muzzled when at large, or on leash; and the dog shall at all times be under such control as may be satisfactory to the State department of health: Provided, That any dog which has been vaccinated against rabies shall, for one year from the date of vaccination, be exempt from the obligation of being muzzled as a safeguard against rabies. A certified copy of a statement from a veterinarian that this vaccination has been done shall be filed with the State department of health within 10 days after the arrival of such dog in the State.

Rules and regulations relating to rabies adopted May 20, 1924, are hereby revoked.

State Department of Health-Appropriation. State Laboratory of Hygiene-Appointment and Duties of Director-Services and Investigations by. (Ch. 206, Act April 15, 1927)

[Section 1 of this act amends section 8 (as amended by ch. 217, laws of 1923) of chapter 197, laws of 1917, to read as follows:]

Sec. 8. The sum of \$58,000 shall be annually appropriated for the purposes set forth in sections 1 to 6, inclusive, and section 7 of this act.

[Section 2 amends section 37 of chapter 19, Revised Statutes, 1916, to read as

Sec. 37. The State board of health shall appoint a director of such laboratory [State laboratory of hygiene], who shall hold that position at the pleasure of the board. He shall keep a record of all specimens sent to him for examination, and examine these specimens without unnecessary delay, and do such other work, and make such other investigations relating to the public health as said board may from time to time direct. He shall annually in the month of January make a full report to the board of all matters pertaining to the laboratory, and shall make such other and special reports as the board may require. The kind and amount of the work he shall do and the compensation therefor shall be fixed by said board. The services of the laboratory and all investigations therein made shall be free to the people of the State, except that the public health council subject to the approval of the governor and council may fix charges when deemed advisable or necessary.

Milk Dealers-Registration. (Ch. 61, Act April 1, 1927)

[This act amends section 5 (as amended by ch. 18,3 Laws of 1925) of ch. 37, Revised Statutes, 1916, to read as follows:]

Supplement 49 to Public Health Reports, p. 169.
 Supplement 37 to Public Health Reports, p. 195.
 Supplement 59 to Public Health Reports, p. 179.

Sec. 5. Any person, firm, corporation, association, or society who shall sell or deliver milk or cream as a business to any person from a wagon or other conveyance, depot, or store, or who shall sell or deliver milk to a hotel, restaurant, boarding house, or any public place, shall be considered a milk dealer within the meaning of this section, and shall on or before the 1st day of January in each year apply to the commissioner of agriculture for registration, furnishing such information as may be required, upon blanks issued and furnished by the commissioner to such persons as may request the same. Every such registration shall expire on the 1st day of January, next after its issue, and shall be granted only to the milk dealer owning or leasing the vehicle or place from which sales or supplies are to be made, and shall not be transferred. Upon receipt of the application for registration, containing the information required, and upon being satisfied that all milk is being produced and handled in a sanitary way and is from cows free from disease, the commissioner shall issue to the applicant a certificate of registration, which certificate shall be posted in a conspicuous place in the store or depot from which sale or supply is made, and the number of the certificate of registration for each wagon or other vehicle shall be placed in a conspicuous place on said wagon or other vehicle. The commissioner may cancel the certificate of any dealer, who, after due hearing on complaint by the commissioner or his authorized agent, is found to be selling milk produced or handled under unsanitary conditions or milk from diseased cows. If any person, firm, corporation, association, or society desires to become a milk dealer, as provided by this section, before the 1st day of January in any year, he or they shall, prior to engaging in the business, register with the commissioner of agriculture in the manner hereinbefore provided, for each place or vehicle from which sale or supply is to be made. Any dealer who neglects or refuses to register with the commissioner of agriculture, or to post certificates of registration in the store or depot from which sale or supply is made, or to post the number of the certificate of registration on the wagon or other vehicle from which sale or supply is made, as provided in this section, or to surrender his certificate to the commissioner when notified in writing that the same has been canceled, and the reason given for cancellation, or who shall himself or by his servant or agent sell or deliver or have in his custody or possession with intent to sell or deliver any milk after having been re-fused the aforesaid certificate of registration by the commissioner of agriculture, forfeits \$50 to be recovered in an action of debt, to be prosecuted in the name of the State by the county attorney for the county in which such violation has occurred; but the provisions of this section shall not apply to milk or cream delivered to a creamery or butter or cheese factory.

Imitation Butter and Cheese—Manufacture or Sale Prohibited. Oleomargarine—Sale and Labeling. Substitutes for Butter—Use of Certain Words or Representations in Connection with the Sale or Advertisement of, Prohibited. (Ch. 119, Act April 11, 1927)

[This act amends section 6 of chapter 130, Revised Statutes, 1916, to read as follows:]

Sec. 6. No person shall manufacture, sell, expose for sale, or have in his possession with intent to sell, or take orders for the future delivery of any article, substance, or compound made in imitation of yellow butter or cheese, and not made exclusively and wholly of cream or milk, or containing any fats, oil, or grease not produced from milk or cream, whether said articles, substance, or compound be named oleomargarine, butterine, or otherwise named. Nor shall any person, firm, or corporation sell, expose for sale, or have in his possession with intent to sell oleomargarine unless the original package in which same is shipped or conveyed from place of manufacture shall have the word "oleomargarine" in letters three-quarters inch high and of proportionate width plainly printed or stenciled on the top or side thereof and unless each carton or wrapper containing said eleomargarine and in which such eleomargarine is sold or kept for sale shall have the word "oleomargarine" printed on two principal display panels in plain gothic letters not less than 20-point type. When said oleomargarine is sold from a tub or box or other container in which it is kept for sale in bulk, said oleomargarine must be wrapped in wrappers plainly stamped or printed on the outside thereof with the word "oleomargarine" in plain gothic letters not less than 20-point type, and shall also contain the name and address of the seller thereof and the quantity sold. For the purpose of this act any article, substance, or compound manufactured from animal fats or oils, MAINE

vegetable oils, or from compounds or mixtures of animal fats or oils and vegetable oils which has been churned in cream, milk, or water or bathed in a solution of brine, shall be considered oleomargarine. Nor shall any person, firm, or corporation within this State use in any way in connection or association with the sale or exposure for sale or advertisement of any oleomargarine or any substance designed to be used as a substitute for butter the word "butter, "creamery," "dairy," or the name or representation of any breed of dairy cattle, or any combination of such word or words and representation, or any other words or symbols or combinations thereof commonly used in the sale of butter.

Storage and Processed Eggs—Purchaser of, to Be Informed of Fact That Eggs Are Storage or Processed Eggs—Word "Fresh" Not to Be Used in Connection with Sale of. (Ch. 93, Act April 7, 1927)

Section 1. The term "storage eggs" as used in this act shall be held to mean any shell eggs that for a period of 30 days or over have been held in storage at a temperature of 45° F. or less.

The term "processed eggs" shall be held to mean any shell eggs which in

a way other than storage have been so treated as to keep them from natural

deterioration.

SEC. 2. Any person, firm, or corporation who exposes or offers for sale, either in any public place or elsewhere, any shell eggs which have been in storage or which in any way have been processed, shall conspicuously display upon the receptacle in which such shell eggs are offered for sale, or upon the package in which they are delivered to the purchaser, a notice containing the words cold-storage eggs" or "processed eggs" in accordance with the fact; and in case any shell eggs which have been in storage or which have been processed are exposed for sale or offered for sale, in a maner which does not require a receptacle or package, the purchaser shall be informed definitely that such shell eggs are either cold-storage or processed eggs, to the end that the purchaser may have knowledge of the facts with reference to the storage or processing of such eggs.

Sec. 3. No person, firm, or corporation, selling or exposing for sale any shell eggs which have been in storage or in any way processed shall use the word "fresh" in any combination of words to describe the character or value of

SEC. 4. Whenever any person, firm, or corporation within the State of Maine ships or delivers to a purchaser within the State of Maine, any shell eggs which have been in storage or processed, such person, firm, or corporation shall deliver to the purchaser an invoice or bill showing thereon the character of such eggs. All containers of shell eggs deposited in cold storage shall be marked plainly with date of receipt and date of withdrawal by the officer, or his agents, in

charge of the cold-storage plant.

SEC. 5. Any person, firm, or corporation who violates any provision of this act shall, upon conviction, be liable to a fine of not more than \$50 or imprisonment of not more than 60 days, or both, and jurisdiction upon the several municipal courts of the State for trial and punishment of offenses under this act is hereby expressly confirmed, and the commissioner of agriculture is expressly empowered to enforce the provisions of the act and to be vigilant in discovering violations hereof and making complaint to the proper authorities. SEC. 6. Section 13 of chapter 130 of the Revised Statutes is hereby repealed.

Births, Deaths, and Marriages Prior to 1892 Not Registered with State Registrar of Vital Statistics-Registration. (Ch. 213, Act April 15, 1927)

SECTION 1. The State registrar of vital statistics shall, as soon as practicable after the passage of this act, ascertain from what cities, towns, and plantations and from [sic] what years, prior to 1892, complete returns of births, marriages, and deaths have not been made to the State, or are not to be found among the records of his office, and shall convey this information to the clerks of such cities, towns, and plantations, together with suitable blanks upon which to make

Sec. 2. Such clerks may, within a period of 10 years, under the direction of the State registrar of vital statistics, cause to be transcribed in full upon such blanks all records of births, marriages, and deaths prior to 1892 in the possession of the city, town, or plantation and of the churches situated in the city, town, or plantation, not already returned, and shall transmit the same, properly certified, to the State registrar of vital statistics, within such reasonable time as he may prescribe, and for such services said clerk shall receive from the city, town, or plantation the sum of not exceeding 5 cents for each record so transcribed, certified, and transmitted, as may be agreed upon between the clerk

and the municipal officers.

SEC. 3. If the death records of the city, town, or plantation prior to 1892 are incomplete, the clerk of such city, town, or plantation may, within 10 years, as may be prescribed by the said State registrar of vital statistics, cause to be copied at the expense of the city, town, or plantation, under the direction of the said State registrar of vital statistics, the inscriptions on all gravestones in the city, town, or plantation erected to the memory of any person who died prior to 1892, so far as the same relates to the name of the deceased, date of death, age, or date of birth, if given, and the name of the cemetery, and shall cause such records to be recorded in the books or archives of the city, town, or plantation. The State registrar of vital statistics shall furnish each of said clerks with suitable blank forms for the return of such records, which shall be copied, certified, and returned to the said State registrar of vital statistics within such reasonable time as he may prescribe as provided in section 2 hereof, and the clerk shall receive the same compensation for copying, certifying, and returning said records as for the records described in said section 2. The work of transcription and certification shall be distributed as fairly and evenly as may be over said period of 10 years next following the date when this act becomes effective.

Sec. 4. When required for any lawful and proper purpose, certified copies of such records shall be furnished by the State registrar of vital statistics for a fee of 50 cents, to be paid by the applicant. For any search of the files and records, when no certified copy is made, the fee shall be 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the

applicant.

Certain Overnight and Recreational Camps and Roadside Eating and Lodging Places—License. (Ch. 233, Act April 16, 1927)

SECTION 1. No person, corporation, firm, or copartnership shall conduct, control, manage, or operate, directly or indirectly, any overnight or recreational camp, or roadside eating or lodging place, which is located outside the compact portion of cities, towns, and plantations and which is operated only a part of each year, unless the same shall be licensed by the public health council.

Sec. 2. The public health council is empowered to license overnight and recreational camps, and roadside eating and lodging places which are located outside the compact portions of cities, towns, and plantations, and which are

operated only part of each year.

Sec. 3. Such licenses shall be issued by the public health council under such terms and conditions, and such fees for licenses not exceeding \$5 may be charged, as may be approved by the governor and council.

Sec. 4. Any person, corporation, association, firm, or copartnership violating the provisions of section 1 shall be fined not more than \$100.

Certain Overnight and Recreational Camps and Roadside Eating and Lodging Places—License—Sanitary Requirements—Keeping of Register. (Reg. Dept. of H., June 2, 1927)

Under authority of section 3 of chapter 233, public laws of 1927, of the State of Maine, the following rules and regulations are made to govern the issuance of licenses to overnight and recreational camps and roadside eating and lodging places.

SECTION 1. All public eating places must conform to the rules and regulations of the State department of health relating to sanitation of public eating and

drinking places.

Sec. 2. All overnight camps and lodging places must conform to the rules and regulations of the State department of health governing the sanitary conditions of hotels,

SEC. 3. All recreational camps must conform to the rules and regulations of the State department of health governing the sanitation of summer camps in the State of Maine, the rules and regulations relating to sanitation of public a a ti in co

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eating and drinking places and regulations governing the sanitary conditions of hotels.

Sec. 4. Persons, firms, or corporations conducting overnight camps, lodging places, and recreational camps shall keep and maintain or cause to be kept and maintained therein a register in which shall be inscribed the true name of each and every guest renting or occupying a room or rooms, cabins, and tents. Such register shall be signed by the person renting such rooms, cabins, or tents, or by someone under his directions. The proprietor or his agent shall write opposite each name the number of room or rooms, number or name of cabin or tents assigned to and occupied by each such guest; and the State license number of any automobile then being used or operated by the registrant. The proprietor or his agent shall keep and preserve the record showing the date of registration and date when the occupant of each room, cabin, or tent quit and surrendered the same.

Undertakers—License—Powers and Duties of and Reports to State Department of Health Concerning. (Ch. 141, Act April 12, 1927)

Section 1. Sections 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 of chapter 19 of the Revised Statutes [1916] are hereby amended by striking out all of said

sections and inserting in place thereof the following:

SEC. 25. * * * Such person [wishing to become an undertaker or embalmer] * * * shall have an intelligent comprehension of such rudiments of anatomy, and of the characteristics of, and the dangers from, contagious and infectious diseases, and of the actions and uses of disinfectant agencies, as the State board of health may prescribe as necessary for the protection of the living, * * * providing, however, that the provisions of this act shall apply only to persons who advertise or hold themselves out to embalm dead human bodies for burial, or to prepare the same for transportation or cremation. * * *

Sec. 26. The board of examiners shall consist of four members, one of whom shall be the State commissioner of health, who shall be secretary of said

board. * * *

Sec. 27. Examinations for licenses shall be given by the board at least twice a year, at such times and places as it may determine. Applicants shall pass an examination upon their knowledge of embalming, sanitation, preservation of the dead, disinfection of a deceased person, and the apartments, bedding, clothing, or anything likely to be affected in the case of death from infectious or contagious diseases, in accordance with the rules and regulations of the State board of health. They shall also be conversant with the law and rules governing the transportation of dead human bodies, and such other subjects as the board may, from time to time, see fit to name, and if found qualified, a certificate of a licensed embalmer shall be issued to the applicant, under which he shall have legal authority to perform all acts relating to preparing, embalming, shipping, or burying dead human bodies and to do any work coming within the province of said vocation. The board may revoke for cause any license issued by it, and failure to comply with the law and the regulations of the State board of health shall be deemed sufficient cause for the revocation of a 1 cense.

Sec. 28. The State board of health may adopt such blanks and forms of procedure as it may deem necessary to carry out the provisions of sections 25 to 36, both inclusive, and shall keep on file a list of all registered and licensed embalmers and undertakers and a record of examinations, together w.th the

examination papers, all of which shall be open to public inspection.

Sec. 29. The board of examiners shall keep a record, containing the names and residences of all persons licensed hereunder, and a record of all moneys received and disbursed by said board, and said records, or duplicates thereof, shall always be open to inspection in the office of the State commissioner of health during regular office hours. The board of examiners shall report to the State board of health, on or before the 1st day of May in each year, a full and complete account of all of its official acts during the year, together with a statement of its receipts and disbursements and such comment as may be deemed proper.

Sec. 35. Whoever violates any provision of the 10 preceding sections, or any rule or regulation prescribed by the State board of health, for the preparation, embalming, shipping or burial of any dead human body shall be pun shed by a fine of not less than \$10 nor more than \$50, or by imprisonment in the

county jail for not less than 10 days nor more than 60 days, and the county attorney of the county in which violation occurs shall prosecute all such persons. Municipal and police courts and trial justices shall have original jurisdiction, concurrent with the supreme judicial court and superior courts, of any and all prosecutions for violations hereof.

SEC. 36. This act shall take effect on the first day of July, in the year of our

Lord one thousand nine hundred and twenty-eight.

MARYLAND

Eastern Shore Tuberculosis Sanatorium Commission—Abolishment—Transfer of Rights, Assets, Powers, Duties, etc., to Maryland Tuberculosis Sanatorium. (Ch. 129, Act March 25, 1927)

[This act adds the following section to article 41 of Bagby's Annotated

Code, 1924:]

108A. On June 1, 1927, all the rights, assets, appropriations, powers, duties, obligations, and functions of the commission known as the Eastern Shore Tuberculosis Sanatorium Commission, as the same are set forth in chapter 650 of the acts of 1912, and chapter 326¹ of the acts of 1922 or any other provision of law, shall be transferred to and thereafter be exercised and performed by the Maryland Tuberculosis Sanatorium created by chapter 308 of the acts of 1906 as the lawful successor to said Eastern Shore Tuberculosis Sanatorium Commission to the same extent and effect as if the said Maryland Tuberculosis Sanatorium created by chapter 308 of the acts of 1906 had been named in the provisions of said acts or other provisions of law, as the body upon whom the said rights, assets, appropriations, powers, duties, obligations, and functions were conferred. Thereupon the terms of office of the members of the said commission known as the Eastern Shore Tuberculosis Sanatorium Commission shall cease and be at an end, and the said commission shall be and stand abolished.

[This act takes effect from and after June 1, 1927.]

County Health Officers—Employment, Qualifications, Powers, Duties, and Compensation. (Ch. 502, Act April 5, 1927)

SECTION 1. That section 51 of article 43 of the Annotated Code of Maryland (1924 edition), title "Health," subtitle "Miscellaneous provisions," be, and it is hereby, repealed and reenacted with amendments to read as follows.

51. The local board of health of each county may, whenever they shall deem it necessary or desirable, require that any qualified physician appointed by such board as county health officer shall be trained in sanitary science, public health and hygiene and shall not, so long as he shall hold that office, engage in any other occupation which would conflict with the performance of his duties as health officer. He shall have all the powers and duties which are now or may hereafter be conferred upon county health officers by law; he shall enforce all the public health statutes and rules and regulations of the State board of health or the local board of health, under the direct supervision and control of the local board of health, and shall perform such other duties and exercise such other duties and exercise such other functions [sic] as the local board of health shall direct. The local board of health may make and enter in to a contract with such county health officer for such period of time as may be mutually agreeable, but not longer than the terms of office of the members of said local board of health and may fix the salary of any county officer appointed subject to the provisions of this section, without regard to the provisions of section 48 of this article. This section shall not apply to Charles County and St. Marys County.

SEC. 2. That this act shall take effect June 1, 1927.

School Toilets—Repeal of Law Relating to Providing and Maintenance of. (Ch. 495, Act April 26, 1927)

Section 1. That sections 294 and 295 of article 27 of the Annotated Code of Maryland, title "Crimes and punishments," subtitle "Health—Schools," be, and the same are hereby, repealed.

¹ Supplement 47 to Public Health Reports, p. 64.

Water Supply, Sewerage, Drainage, and Refuse Disposal Systems—Construction, Establishment, Acquisition, Extension, Alteration, Maintenance, and Operation by Municipalities. (Ch. 641, Act April 26, 1927)

[This act adds the following sections to article 43 of Bagby's Annotated. Code, 1924:]

348A. The mayor and council or town commissioners, or any other governing body of any city or town, may construct or establish, by purchase or condemnation, water supply, sewerage, drainage, and refuse disposal systems in any municipality, or may extend or alter any existing water supply, sewerage, drainage, or refuse disposal system, and may maintain and operate any such system so constituted, established, extended, or altered under the provisions hereinafter set forth. The above-mentioned authorities shall have full power and authority to do all work, including preliminary work, necessary in the construction, establishment, extension, alteration, maintenance, and operation of said systems, including the appointment and fixing of the compensation of all

force and help that in its judgment may be necessary.

348B. Said municipal authorities, wherever they deem it necessary may take or acquire any land, structures, buildings, water courses, water rights, or other property, either within or outside of the municipality, either in fee or as an easement, for the construction, establishment, extension, alteration, maintenance, or operation of any part or appurtenance of said water supply, sewerage, drainage, or refuse disposal system, this to be done by the purchase of the same from the owner or owners, or upon the failure to agree, by the condemnation of the same by proceedings in the circuit court for the county in which the said land, structures, water courses, water rights, or property are located, as now provided for condemnation of land by public service corporations in article 33A of the Code of Public General Laws of Maryland, and said authorities may at the same t me condemn the interest of any tenant, lessee, or other person having an interest in said property. At any time after 10 days after the return and recordation of the verdict and award in said proceedings, the said authorities may enter upon and take possession of said property so condemned, upon first paying to the clerk of the court the amount of said award, and all costs and taxes to date, notwithstanding any appeal or further proceed ng upon the part of the defendant. At the time of said payment, however, it shall give its corporate undertaking to abide by and fulfill any judgment on such appeal or further proceedings.

348C. For the purpose of providing funds for the design, construction, establishment, purchase, or condemnation of any water supply, sewerage, drainage, or refuse disposal system, said municipal authorities are authorized and empowered to issue bonds from time to time in such amounts as they may deem necessary to carry on said work, or any part of it: Provided, however, That at no time shall the amount of outstanding bonds so issued be more than 5 per cent of the aggregate assessed valuation of all property listed and assessed for taxation in such municipality. Said bonds may be issued without previous legislative authority and the amounts of said bonds outstanding at any time may be in addition to the total indebtedness otherwise permitted by law. Bonds issued under this section may be of such type and denomination and may bear such rate of interest, not exceeding 5 per cent per annum, as said authorities issuing them may determine upon, provided that no bonds shall be issued maturing at a period exceeding 50 years from the date of issue. Said bonds shall be forever exempt from State, county, or municipal taxation. They

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shall be a lien upon all property within the jurisdiction issuing them.

348D. For the purpose of retiring the bonds issued under this act, and of

paying interest thereon, there shall be levied against all of the assessable property within the municipa ity served annually, so long as any of said bonds are outstanding, a tax of sufficient amount to meet the interest on said bonds as it may become due and to pay the principal thereof as they mature, or such part of said amount as may not be raised by annual assessments, as hereinafter provided in section 348E, said tax to be determined, levied, and collected in the same manner as in the case of other municipal taxes. The taxes levied under this act shall have the same priority rights, bear the same interest and penalties, and in every respect be treated the same as other municipal taxes. In order that the prompt payment of interest and the proper provisions for the payment of the principal of bonds issued under this act shall be assured, the prompt and proper performance of the duties imposed upon the tax levying authorities is specifically enjoined, and any failure upon the part of any person, persons, body corporate, or agent to perform the proper acts and duties in connection with the levy and collection of the necessary taxes, or the use of any of the funds collected by virtue of this section for any other purpose than for the payment of the principal and interest on said bonds, is hereby declared a misdemeanor and punishable as other misdemeanors are punishable by section 3480.

348E. Said municipal authorities may provide for the whole or any part of the cost of construction, establishment, extensions, or alteration of any water supply, sewerage, drainage, or refuse-disposal system by the levy of a frontfoot assessment on all property abutting on a street, road, alley, or right of way in which a water pipe, sewer, or drain is laid, or refuse collected. Such assessments shall be payable annually during the life of the bonds, and sufficient in aggregate amount to pay any part or all of the interest on the outstanding bonds and to provide for their retirement. Said authorities may provide for the extinguishment by property owners of annual front-foot benefit charges upon such terms as they may deem wise, provided any such arrangement shall provide properly for the necessary payments on the outstanding bonds. The municipal authorities, for the purpose of establishing the front-foot assessment rates, may classify properties according to the uses to which they are put and may change such classifications and the front-foot assessment rates from year to year, as may become necessary, but the rate for any one year shall be uniform for all property so assessed within the municipality. Said municipal authorities shall notify in writing all assessed property owners as to the classification of their properties and the amount of their assessment, naming in said notice a time and place when and where said owners will be heard. The classification of and the benefit charges assessed against any property shall be final, subject to revision only at said hearing. The municipal authorities in the case of corner lots, irregular shaped lots and shallow lots fronting on more than one street, and also in the case of small acreage and agricultural property may determine upon such lengths of frontage for assessment as they deem reasonable and fair. Front-foot assessment charges as above specified shall be a first lien on property against which they are assessed subject only to prior State and county charges and upon complaint of the municipal authorities before any justice of the peace or the circuit court for the county in which said land is situated shall be enforced by a judgment and usual execution thereon. Said benefit charges shall be in default after 60 days from the date of levy and said levy shall bear interest at the rate of 1 per cent a month from and after the time said levy is in default.

348F. Said municipal authorities shall provide for each and every property abutting upon a street or right of way in which under this act a water main or sanitary sewer is laid a water service pipe or sewer connection which shall be extended, as required, from the water main or sewer to the property line of the abutting lot, said service pipe or sewer connection to be constructed by and at the sole expense of said authorities. When any water main or sewer is declared by said authorities complete and ready for the delivery of water or the reception of sewage, every abutting property owner, after due notice, shall make connection of all spigots or hydrants, toilets, and waste drains with said water main or sewer within such reasonable time as may be prescribed by said authorities. Where the aforesaid drains or fixtures do not exist, or are of a nature which in the judgment of said authorities are improper or inadequate, satisfactory equipment or arrangements shall be installed. All cesspools, drains, and privies on properties connected with a sewer shall be abandoned and left in such way that they can not again be used or injuriously affect the public health, said disposition to be determined by said authorities; and all wells that are found by said authorities to be polluted or a menace to health shall likewise be abandoned and closed. Any violation of the provisions of this sec-

tion shall be a misdemeanor, punishable under section 3480.

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e r 348G. For the purpose of providing funds for maintaining, repairing, and operating water supply, sewerage, drainage, and refuse disposal systems constructed under the provisions of this act, including overhead expense and proper depreciation allowance, municipal authorities shall have full power and authority to make such service rates as they may deem necessary, chargeable against all properties served by a water main, sewer, drain, or refuse-disposal system under their ownership. Service rates shall be subject to change from time to time as said authorities deem necessary. Said rates shall be payable at such

times, and shall be subject to such penalties for nonpayment, as said authorities may determine, and they shall be collectible against the owner of the property served, in the same manner as other debts are collectible at law.

348H. Municipal authorities shall be empowered and authorized to formulate and cause to be effective such rules and regulations as they may deem necessary for maintaining and operating water supply, sewerage, drainage, and refuse-disposal systems under their control, and may formulate and put into effect plumbing regulations, which shall govern the installation and alteration of all water supply, plumbing, and drainage arrangements on private property. Said authorities may require that no water supply, plumbing, or drainage work be done on any private property without the receipt of a permit and without the payment of such charge as they may deem reasonable. Any violation of any rule or regulation promulgated under authority of this section shall be [a]

misdemeanor, punishable under section 3480.

348I. Municipal authorities are authorized and empowered to take over by purchase or condemnation any privately owned water supply, sewerage, drainage, or refuse-disposal system. Such condemnation proceedings shall be in accordance with the provisions of section 348B. When any such private system is taken possession of, said authorities may extend or alter and maintain or operate said system in conjunction with their general system, and thereafter all properties along the lines of said privately owned systems so taken over shall stand in the same relation, bear the same benefit assessment, and be subject to the same regulations and penalties as though the system so acquired had been constructed and put into operation by said authorities: Provided, however, That said authorities may take into account and compensate for any portion of the cost of constructing the privately owned system that they may determine to have been paid by properties abutting upon any portion of said system. Whenever there is in existence a privately owned water supply, sewerage, drainage, or refuse-disposal system, which, in the judgment of said authorities, is unfit as a whole or in part for incorporation into the general system established by said authorities, said authorities may disregard the existence of said system or unfit part thereof, and extend their system to serve the area tributary to the existing private system or unfit part thereof, and all the provisions of this act relating to systems constructed by said authorities shall apply to said extensions.

348J. Municipal authorities may enter upon any highway for the purpose of installing, extending, altering, maintaining, and operating a water supply, sewerage, drainage, and refuse disposal system, and may construct or repair in any highway a water main, sewer, or drain, or any appurtenance thereof upon the receipt of a permit from the proper authorities: *Provided*, That whenever any highway is disturbed, said highway shall be repaired and left by said municipal authorities in the same or a not inferior condition to that existing before entry, and that all cost incident thereto shall be borne by said municipal

authorities.

348K. All individuals, firms, and corporations having buildings, conduits, pipes, tracks, or other physical obstruction in, over, or under the public roads, streets, or alleys of any county or municipality which shall block or impede the progress of a municipal water supply, sewerage, drainage, or refuse disposal system while in process of construction, establishment, alteration, or repair, shall upon reasonable notice from the authorities of said municipality promptly so shift, adjust, accommodate, or remove the same as to fully meet exigencies occasioning such notice: Provided, however, That the cost of such changes shall be borne and paid for by the municipality, the authorities of which are responsible for the giving of such notice. Any individual, firm, or corporation, before laying any pipe or conduit under the public highways in any municipality, shall present to the proper municipal authorities adequate plans showing the size, type, and location of any pipe or conduit to be laid, and shall not lay any such pipe or conduit until said plans have been approved and a permit issued by said authorities. Any such pipe or conduit shall be laid in accordance with the approved plan. Any proposed deviation from said plans shall be subject to approval of said authorities. In case any new pipe or conduit is laid without the receipt of a permit or not in accordance with the approved plan, or any approved deviation therefrom, the individual, firm, or corporation so laying said pipe or conduit shall, upon notice from said authorities, remove it or readjust it to the satisfaction of said authorities; but any conduits or pipes laid by individuals, firms, or corporations, in accordance with approved plans and the

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of of terms of permits given under this section, if they interfere with the construction of water mains, sewers, or drains installed by said authorities, shall be removed or readjusted by said authorities without cost to said individuals, firms, or corporations. Any failure to comply with the provisions of this section shall be deemed a misdemeanor, punishable under section 3480.

348L. Municipal authorities shall be empowered and authorized to establish, and enforce compliance with such establishment, street lines and grades whereever they may deem it necessary or expedient so to do for the proper construction, establishment, or extension of a water, sewerage, or drainage system under their control; or street lines and grades established by individuals, firms, or corporations shall be approved by said authority wherever they deem it necessary for the proper construction, establishment, or extension of a water, sewerage, or drainage system at the time of such establishment, or at a future time; and if any street lines or grades are established by individuals, firms, or corporations without such approval, said authorities may refuse to give water, sewerage, or drainage service to the properties abutting on streets the lines and grades of which have been established.

348M. Any employee or agent of municipal authorities shall have the right of entry, at all reasonable hours, upon any private premises and into any building within their jurisdiction while in pursuit of his official duties; and any restraint or hindrance offered to such entry, by an owner or tenant or agent of said owner or tenant, shall be a misdemeanor punishable under section 3480.

348N. Municipal authorities shall have full power and authority to enter into any contracts or agreements with other municipal authorities, or with county, State or Federal authorities, with respect to obtaining a supply of water or the disposal of sewage, drainage, or refuse, or with respect to any other matter necessary or advisable for the proper and economical construction, establishment, maintenance, or operation of a water supply, sewerage, drainage, or refuse disposal system.

3480. Every act or omission designated as a misdemeanor in this act, unless otherwise stated, shall be punishable before any justice of the peace or the circuit court of the county within which such offense is committed, and action shall be brought by warrant or indictment upon the oath or information of any municipal official, or any agent of municipal authorities, and the offender shall, upon conviction, be subject to a fine not exceeding \$100 or 30 days in the county jail, or both, in the discretion of the court. Where such act or omission is of a continuing nature, and is persisted in, in violation of the provisions of this act or of any rule or regulation formulated thereunder, a conviction for one offense shall not be a bar to a conviction for a continuation of such offense subsequent to the first or any succeeding conviction.

34SP. That the mayor and council or the commissioners or other governing body of any municipality, before issuing bonds for any of said improvements, shall first, at a regular municipal election, submit to the voters of the municipality proposing the improvements the question whether or not the said bonds shall be issued, and upon the ballots to be used at said municipal election there shall be printed or written the words "for _______ bonds" and "against ______ bonds," and if a majority of the votes cast upon said question shall be "for ______ bonds," then the mayor and council or the commissioners or other governing body of the municipality shall exercise the power vested in them by this act and shall issue the bonds authorized by this act; but if a majority of the votes cast upon said question shall be "against ______bonds," the power shall not be exercised or the bonds issued, but the mayor and council or the commissioners or other governing body, however, shall have the power to submit the question at succeeding regular municipal elections until a majority of the votes cast on said question shall be "for ______bonds," at which time they shall exercise the power conferred by this act and issue the bonds authorized by said act.

348Q. All acts and parts of acts inconsistent with the provisions of this act be and the same are hereby repealed to the extent of their inconsistency, provided that nothing herein contained shall be taken as repealing any part of chapter 810° of the acts of the Maryland Legislature of 1914, or chapter 122 of the acts of the Maryland Legislature of 1918, nor as restricting any control which the State board of health of Maryland is empowered to exercise.

Reprint 279 from Public Health Reports, p. 64.

348R. Nothing in this act shall be taken as affecting any power or duty accorded to or imposed upon the Washington Suburban Sanitary Commission, the Anne Arundel County Sanitary Commission, the Baltimore County Metropolitan District, or Baltimore city, which agencies are hereby specifically excepted from the provisions of this act.

Laundries-Sanitary Requirements-Employees. (Ch. 510, Act April 26, 1927)

SECTION 1. That a new article be and the same is hereby added to the Annotated Code of Maryland (1924 edition), the said article to be known as article 54A, to follow immediately after article 54 of said code, to be under title "Laundries," and to read as follows:

1. Any place, building, structure, room, establishment, or portion thereof which is used for the purpose of washing, drying, starching, ironing, or laundering wearing apparel of any description, table, bed, or other household linens, or any other washable fabrics or materials, such work being done for the general public, shall be deemed a laundry and subject to the provisions of this article.

The provisions of this article shall not, however, apply to any private laundry maintained or operated in connection with any hotel, restaurant, or public institution, nor to hospitals or charitable institutions where no charge is made for such laundry services, nor shall the provisions of said article apply to any female engaged in doing custom laundry work at her home for a regular family trade, nor to any room, rooms, or portion thereof located in a tenement house or other dwelling in which domestic laundry work is done by or for the occupants of such building exclusively.

2. Every laundry shall be kept in a reasonably clean and sanitary condition as to its floors, sidewalls, ceilings, woodwork, fixtures, tools, machinery, and utensils. All rooms used in connection with such laundry shall be provided with adequate ventilation by means of windows, air shafts, air ducts, or other mechanical apparatus, if needed, so as at all times to insure a free circulation of fresh air in such laundry, and every laundry shall be provided with adequate

drainage facilities.

3. Every laundry plant shall be arranged so that no soiled linen shall come

in contact therein with clean linen.

4. No person, firm, or corporation operating or conducting a laundry shall knowingly employ or permit to work in the plant thereof any person who has tuberculosis, any acute or active venereal disease, any communicable or loathsome skin disease, or any other communicable disease.

5. No owner, proprietor, or manager of any laundry, nor any person employed therein, shall be permitted to sprinkle any article, fabric, or other material being washed or laundered in said laundry with water or other liquid substance ejected from the mouth or blown out of any device connecting or

coming into contact with the mouth of any such person.

6. No person, firm, or corporation owning, maintaining, conducting, or operating any laundry in which wearing apparel, household linen, towels, bedding, or any other fabric or washable materials are received and treated through the process of washing shall remove or cause to be removed from such premises any laundered article until the same has been thoroughly sterilized by keeping it in the washing machine or other vessel provided for that purpose and the water therein has been brought to a boiling temperature or maintained at a temperature of 150° F. for at least five minutes; or by subjecting it to live steam under pressure; or by keeping it in a drying house or drying tumbler in which the temperature is not less than 200° F. for a period of not less than five minutes; or by passing it through any ironing machine where the ironing surface is at a temperature of not less than 200° F.; except in the case of silks and woolens or other fabrics or materials which would be injured by the aforegoing processes.

7. No person, firm, or corporation operating or maintaining a laundry, nor any employee thereof, shall take or receive any fabrics or materials to be washed or laundered from any person, firm, or corporation without the authority

of such person, firm, or corporation.

7-A. No person, firm, or corporation operating or maintaining a laundry, nor any employee thereof, shall operate said laundry or collect wearing apparel or articles of any kind whatsoever to be washed or laundered or deliver the same after having been washed or laundered between the hours of 12 o'clock midnight and 6 o'clock a. m. of each and every day.

8. Any person, firm, or corporation violating the provisions of this article shall, upon conviction thereof, be fined not less than \$50 nor more than \$100 for each offense.

9. This article shall apply only to Baltimore city and Baltimore County.

SEC. 2. That this act shall take effect June 1, 1927.

Bedding-Making, Renovation, Labeling, and Sale. (Ch. 202, Act April 1, 1927)

Section 1. That Paragraphs B, F, G, H, J, and K of section 64 of article 43 of the Annotated Code of Maryland, 1924, title "Health," subtitle "Manufacture and/or sale of mattresses and related articles," be, and the same are hereby, repealed and reenacted with amendments so as to read as follows:

B. No person shall employ or use in the making or renovating of any mattress, pillow, bolster, feather bed, or comfortable (a) any mater al known as "shoddy or any fabric or material from which shoddy is constructed; (b) any second-hand material; (c) any new or secondhand feathers, unless such shoddy, second-hand material, or new or secondhand feathers have been sterilized and disin-

fected by a reasonable process approved by the director of health.

F. Each and every mattress or article covered by this section 64, other than a feather or down filled pillow, bolster, bed, or comfortable, shall bear securely attached thereto and visible on the outside covering a substantial cloth tag, upon which shall be plainly and indelibly stamped or printed, in English (a) a statement showing the kind of materials used in filling said mattress or article and whether the materials used in filling are wholly new or secondhand or partly secondhand; (b) the word "secondhand" upon any article of which prior use has been made; (c) the number of the permit issued for sterilizing and ds nfecting.

Each and every pillow or other article covered by this section 64 in which feathers or down are used shall bear securely attached thereto and visible on the outside covering a substantial cloth tag, upon which shall be plainly and indel bly stamped or printed in English (a) a statement that the feathers or down have been sterilized and disinfected in accordance with this section 64; (b) the number of the permit issued for sterilizing and disinfecting the feathers or down; (c) the word "secondhand" upon a feather or down-filled art.cle of

which prior use has been made.

No additional information shall be contained in said statements.

The statement of materials used in filling must be in plain type not less than one-eighth inch in height.

G. The tag required by this section 64 to be attached to any article covered

by this section shall be not less than 6 square inches in size.

It shall be unlawful for any person to imitate, counterfeit, sell, or have in his possess on any imitated or counterfeited adhesive stamp required under the

provisions of this section 64.

It shall be unlawful to use, exclusively, in the said statement concerning any mattress, pillow, bolster, or comfortable the word "Felt," or words of like import, if any other than garnetted materials are used in filling, or the words "Curled hair," or words of like import, if other than curled hair is used in filling.

It shall be unlawful to make any false, untrue, or misleading statement, term, or designation on such tag, or to remove, deface, alter, or in any manner attempt to remove, deface, or alter such tag, or the adhesive stamp required by this section 64, or cause to be removed, defaced, or altered any statement on a tag placed

upon any article included in the provisions of this section 64.

H. The director of health shall upon application to him by any person entitled thereto, register such applicant, and assign a registry number by which number said applicant shall thereafter be known and designated in applying and enforcing the tagging, inspection, and adhesive stamp provisions of this section, and thereupon he shall furnish to such applicant adhesive stamps in quantities of not less than one thousand, for which the applicant shall pay \$10 for each thousand stamps, which said payment and charge shall constitute an inspection charge for the purpose of enforcing this section.

The director of health is hereby authorized to prepare and cause to be printed adhesive stamps, which shall bear a replica of the seal of the State, the registry number of the person applying therefor, and such other matter as

the director shall direct.

It shall be unlawful for any person to sell, lease, offer to sell or lease, to deliver, or to have in his possession with intent to sell, lease, deliver, or consign any article covered by this section unless there shall be attached to the tag required by this section, by the person manufacturing, renovating, sterilizing, or offering for sale the same, an adhesive stamp prepared and issued by the director of health, as hereinbefore provided.

All fees collected under the provisions of this section 64 shall be paid to the director of health, and when so collected and paid shall thereafter be by the said director of health placed in a separate fund, to be known as the bedding fund, into which all moneys collected under the provisions of this section 64 shall be paid, and from which all expenditures necessary in carrying

into effect the provisions of this section 64 shall be paid.

All moneys in the bedding fund, from time to time, are hereby specifically appropriated to the department of health for the purpose of carrying into effect the provisions of this section 64, and for the payment of salaries and expenses of inspectors, employees, and for research, or any other necessary expenses of said department of health, connected with the enforcement of this section 64.

J. The department of health, through its officers and employees, is hereby charged with the administration and enforcement of section 64, and shall have the power to take for evidence, at any trial involving violation of this section, any article made or offered for sale in violation of this section.

The State board of health shall make and enforce reasonable rules and

regulations for the enforcement of this section.

K. Any person violating any of the provisions of this section 64 or the rules and regulations adopted thereunder shall be guilty of a misdemeanor, and upon conviction thereof shall be sentenced to pay a fine of not less than \$10 and not more than \$50 for each offense, and, in default of the payment of such fine, to undergo imprisonment of not less than 10 days for each separate offense: Provided, That the total term of imprisonment at any one time for additional offenses shall not exceed six months.

Each mattress, pillow, bolster, feather bed, or comfortable, made, remade, or renovated, sold, offered for sale, delivered, consigned, or possessed with intent to sell, deliver, or consign, contrary to the provisions hereof, shall con-

stitute a separate offense.

Each imitated or counterfeited adhesive stamp made, used, sold, offered for sale, delivered, or consigned contrary to the provisions of this section shall

constitute a separate offense.

The director of health may revoke any permit issued under the provisions of this section 64, if the person to whom the permit was issued has violated any provisions of this section 64 or the rules or regulations established thereunder.

MASSACHUSETTS

Persons Infected with Diseases Dangerous to Public Health-Payment of Expenses Incurred by Boards of Health or by State in Making Required Provision for. (Ch. 91, Act March 4, 1927)

[This act revises section 116 (as amended by chapter 241, laws of 1926) of chapter 111, general laws, 1921, to read as follows:]

Sec. 116. Reasonable expenses incurred by boards of health or by the Commonwealth in making the provision required by law for persons infected with smallpox or other disease dangerous to the public health shall be paid by such person or his parents, if he or they be able to pay, otherwise by the town where he has a legal settlement, upon the approval of the bill by the board of health of such town or by the department of public welfare; but such expenses shall not be recovered from a town liable therefor, unless proceedings to recover the same are commenced within two years after the cause of action arises. Such settlement shall be determined by the overseers of the poor, and by the department of public welfare in cases cared for by the Commonwealth. If the person has no settlement, such expenses shall be paid by the Commonwealth, upon the approval of bils therefor by the department of public welfare. In all cases of persons having settlements, a written notice shall be sent by the board of health of the town where the person is sick to the board of health of the town where such person has a settlement, who shall forthwith transmit a copy thereof to the overseers of the poor of the place of settlement; but nothing shall be recovered for relief furnished more than three months prior to notice thereof given to the board of health of the place of settlement. If within one month after receiving such notice the board of health of the latter town does not submit a written statement denying the settlement and stating the reasons therefor, said town shall be barred from contesting the question of settlement. In any case liable to be maintained by the Commonwealth when public aid has been rendered to such sick person, a written notice shall be sent to the department of public welfare, containing such information as will show that the person named therein is a proper charge to the Commonwealth, and reimbursement shall be made for reasonable expenses incurred within five days next before such notice is mailed, and thereafter until such sick person is removed under section 12 of chapter 121, or is able to be so removed without endangering his or the public health. Reimbursement by the Commonwealth under the provisions hereof shall be subject to the provisions of section 42 of chapter 121.

Cancer—Purchase and Use of Radium for Treatment of. (Ch. 328, Act April 27, 1927)

Section 1. Subject to appropriation as hereinafter provided, the department of public health is hereby authorized to purchase radium, which shall be intrusted to the Pondville hospital for use in the treatment of persons within the Commonweath afflicted with cancer. This radium, or the radioactive substances derived therefrom, are to be used at said hospital and elsewhere as the said department may designate under such rules and regulations as it may pro-For the purposes of this section, the said department may expend during the current year such sum, not exceeding \$70,000, as may be appropriated.

SEC. 2. Each year for a period of not less than 10 years there shall be appropriated not less than \$10,000 to provide for the care of radium and for the extraction, purification, and distribution of the radioactive substances in such forms as may seem to the said department most advantageous for use in allevi-

ating distress caused by cancer.

¹ Supplement 65 to Public Health Reports, p. 96.

Dispensaries—Requirements Governing. (Reg. Dept. of Public H., November 22, 1927)

Rules and regulations for dispensary license.—1. A licensed physician shall be in attendance at each clinic session where medical or surgical service is given and must see each case.

2. A registered nurse shall be in attendance throughout the clinic period at

which medical or surgical service is given.

3. Two rooms, one for a waiting room, the other for examination and treatment, shall be provided where medical or surgical service is given.

4. Running water and apparatus for sterilizing instruments by boiling shall

be available.

5. An individual record shall be kept on each case.

State Tuberculosis Hospitals—Payment of Charges for Support of Patients. (Ch. 139, Act March 22, 1927)

[This act amends section 66 (as amended by ch. 500,2 laws of 1924) of chap-

ter 111, general laws, 1921, to read as follows:]

Sec. 66. The charges for the support of each inmate in a State sanatorium shall be \$7 a week, and shall be paid quarterly. Such charges for those not having known settlements in the Commonwealth shall be paid by it, and may afterward be recovered by the State treasurer of the inmates, if they are able to pay, or of any person or kindred bound by law to maintain them, or of the place of their settlement subsequently ascertained; but for those having known settlements in the Commonwealth the charges shall be paid either by the persons bound to pay them or by the town where such inmates had their settlement, unless security to the satisfaction of the commissioner [of public health] is given for their support. If any person or town refuses or neglects to pay such charges the State treasurer may recover the same to the use of the sanatorium. A town which pays the charges for the support of an inmate of a State sanatorium shall have like rights and remedies to recover the amount thereof, with interest and costs, from the town of his settlement or from such person of sufficient ability, or from any person bound by law to maintain him, as if such charges had been incurred in the ordinary support of such inmate. If in any case the charges, as established by this section, for the support of an adult inmate are not paid in accordance with this section by the inmate or by the persons bound to pay them and a town becomes liable to pay them, such town shall be liable to pay such sum, in addition to such charges, as shall be fixed by the department [of public health], but the total amount including such charges shall not be less than the cost to the Commonwealth for the support of such adult inmate. In such a case, the provisions of this section relative to the recovery of charges by the State treasurer, and by a town from the town of settlement, shall apply to the recovery of such total amount. This section shall not apply to patients received under any contract made under authority of section 79. In all proceedings under this section, the sworn written statement of a person that he is the superintendent of a State sanatorium or that he keeps or has custody of records of accounts of inmates thereof, and that a certain person has been an inmate therein during a certain period at a certain charge and that no satisfactory security was given shall be prima facie evidence of the said facts.

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Preventoriums for Children Predisposed to Tuberculosis—Providing by Counties. Tuberculosis—Apportionment of Cost of Maintenance and Repair of County Hospitals and of Cost of Contract Care of Patients. (Ch. 73, Act February 25, 1927)

[This act adds section 85B to, and amends section 85 (as amended by ch. 113,*

laws of 1923) of, chapter 111, general laws, 1921, to read as follows:]

SEC. 85B. The county commissioners of any county may provide, with the approval of the department [of public health], proper and necessary buildings and other equipment for a preventorium for the treatment of children predis-

Supplement 51 to Public Health Reports, p. 159.
 Supplement 49 to Public Health Reports, p. 175.

posed or susceptible to tuberculosis, at a cost not to exceed \$3,000 in any

calendar year.

SEC. 85. The county shall provide for the care, maintenance, and repair of said hospital, which shall, for the purposes of this section and section 85A, include the care, maintenance, and repair of any preventorium erected by said county in accordance with section 85B and also the cost of its construction and original equipment. The county commissioners shall annually in January apportion the cost thereof, including interest paid or due on temporary notes issued therefor, for the previous year to the towns liable, in the same proportion in which the cost of the construction was assessed, and shall issue their warrant against the towns for the amount or percentage for which they are severally assessed to pay for the maintenance, care, and repair of said hospital. The county may, 30 days after a written demand for payment, recover in contract against any town liable to pay any part of the cost of construction, maintenance, or repair of said hospital the amount for which it may be liable. County commissioners of counties whose patients are cared for by contract under section 79 may raise and expend the sums necessary to carry out the provisions thereof and may borrow the same on the credit of the county and issue therefor notes of the county, payable, in not more than 18 months from their respective dates of issue, from the reimbursements received from the said towns. They shall annually in January determine the total amount already expended by or due from the county under such contracts during the previous year and shall apportion the same to and may collect the same from the several towns liable, in like manner as the cost of construction and equipment of hospitals is apportioned under section 83, and the same shall be applied to the payment of the temporary debt incurred by said counties.

Establishments for Pasteurization of Milk—License—Regulations Governing, Authorized—Closing. (Ch. 259, Act April 15, 1927)

[This act adds the following section to chapter 94, general laws, 1921:]

SEC. 48A. No person shall maintain an establishment for the pasteurization of milk without a license from the board of health of the town where the establishment is to be located. Any person desiring such a license may make written application to such board, stating the location of the establishment and such other information as may be required by rules and regulations for the enforcement of this section, which the department of public health is hereby authorized to make. Upon receipt of the application the said board shall cause an examination of the sanitary condition of the establishment to be made, and if it is found to be in a sanitary condition, and in accordance with the requirements of said rules and regulations, and otherwise properly equipped for the business of pasteurizing milk, said board, upon receipt of a license fee of \$10, shall issue a license authorizing the applicant to carry on such establishment for the pasteurization of milk for one year. If any such establishment licensed hereunder is deemed by the board issuing such license or by the department of public health to be operated or maintained in an unsanitary manner, or in violation of any of said rules and regulations, or not properly equipped for the business of pasteurizing milk, the board or the department shall close such establishment until such time as it has been put in a condition to conform with the requirements of this section, and said board or department may also suspend the license if the required changes are not made within a reasonable time.

Whoever, himself or by his servant or agent, violates any provision of this section, or of the rules and regulations made hereunder, shall be punished for the first offense by a fine of not more than \$100 and for a subsequent offense

by a fine of not less than \$50 nor more than \$300.

This section shall not be construed to interfere with the powers and duties conferred or imposed upon boards of health of cities and towns by sections 41 and 43.

Establishments for Pasteurization of Milk—License—Construction and Operation of Pasteurization Apparatus—Sanitary Requirements. (Reg. Dept. of Public H., 1927)

REGULATION 1. All persons desiring a license to maintain an establishment for the pasteurization of milk shall make in duplicate application to the board

of health of the town where the establishment is to be located. This application shall be in the following form:

(To be filled out in duplicate)

To the Board of Health of Application is hereby made for a license to maintain teurization of milk under the name of	an establishment for the pas-
Situated at	
Make of holder	
Type of building construction	
Number of rooms for handling and processing milk	
Estimated quantity of milk to be pasteurized daily	
Estimated number of employees engaged in the establishme	
Number of employees who have had typhoid fever	

This is to certify that this establishment is in compliance with the regulations of the Massachusetts Department of Public Health relative to establishments for the pasteurization of milk and otherwise in accordance with the provisions of chapter 259 of the acts of 1927.

(Signature of applicant)

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Persons not previously licensed shall file with the application a sketch indicating the construction of the building and the installation of machinery. Persons desiring a renewal of a license shall file a sketch indicating any changes in such construction and installation since the license was issued.

REGULATION 2. Upon receipt of an application for a license, the board of health shall cause an examination of the bulld ng and equipment to be made, and if the establishment is found to be in conformance with these regulations and otherwise complies with the regulations issued by the board under the provisions of sections 41 and 43 of chapter 94 of the general laws, a license shall be issued for 12 calendar months. One copy of the application shall be retained by the board and the other copy bearing a statement of the board's action thereon shall be sent to the department.

REGULATION 3. The license may be issued in the following form:

THE BOARD OF HEALTH OF ______, Mass., _____, 19__.
Hereby grants a license to

No. _____.

Board of Health of _____.

REGULATION 4. No license shall be granted and any license granted may be revoked if the pasteurization apparatus is not constructed or operated in accordance with the following specifications:

Vat-type apparatus.—(a) The apparatus shall be so designed that the milk will be agitated during the entire heating period.

(b) The vat shall be either disconnected entirely during the holding period from any influent piping, and during the filling, heating, and holding period from the effluent piping and fittings or provided with leak-escape valves which will not permit any unpasteurized milk to enter the vat during the holding period or any incompletely pasteurized milk to escape into the effluent piping and fittings.

(c) The lids of vats shall be kept closed during the holding period and be so designed that when opened nothing on top thereof will drop into the vat.

(d) Every vat shall be provided with an indicating mercury in glass thermometer, as well as a recording thermometer. The indicating thermometer shall be accurate within 1° F. The recording thermometer shall be checked daily by the plant operator. The indicating and not the recording thermometer shall be used as an index of temperature by the plant operator.

(e) All effluent piping and fittings referred to in (b) above shall be sterilized by hot water or steam either manually or automatically shortly before dis-

charge of the pasteurized milk.

(f) Designs which permit foam formation shall be equipped with a device which will keep the atmosphere above the body of the milk to at least pasteurizing temperature during the holding period.

Pocket-type apparatus.—(a) The apparatus shall be so designed as to be free from "cold pockets" or pipe sections, the milk in which will drop below

the temperature of pasteurization before discharge from the pocket.

(b) Influent as well effluent manifolds shall be provided with both recording mercury in glass thermometers and indicating thermometers. Indicating thermometers shall be accurate within 1° F. The indicating, and not the recording, thermometers shall be used as an index of temperature by the plant operator. Recording thermometers shall be checked daily by the plant operator.

(c) All influent and effluent fittings shall be so designed as not to permit any unpasteurized milk to enter the pocket during the holding period, or in-

completely pasteurized milk to enter the effluent manifold.

(d) Lids of pockets shall be kept closed during the holding period, and be so designed that when opened nothing on top thereof will drop into the pocket.

(e) Designs which permit foam formation shall be equipped with a device which will keep the atmosphere above the body of the milk to at least pasteurizing temperature during the holding period.

(f) All effluent fittings shall be sterilized by hot water or steam, either manually or automatically, shortly before the discharge of the pasteurized milk.

Continuous-flow type apparatus.—(a) Each continuous-flow type apparatus shall be tested by the applicant for a license to the satisfaction of the board of health to determine the operating conditions which must be observed in order to insure the uniform application of the desired time and temperature.

(b) Influent as well as effluent piping shall be provided with both recording mercury in glass thermometers and indicating thermometers. Indicating thermometers shall be accurate within 1° F. The indicating, and not the recording, thermometers shall be used as an index of temperature by the plant operator. Recording thermometers shall be checked daily by the plant operator.

(c) All continuous-flow apparatus shall be provided with thermostatic con-

trol, properly designed to maintain a uniform temperature in the milk.

(d) The holder shall be free of any "cold pockets" or pipe-line sections, the milk in which will drop below the pasteurizing temperature before discharge. Pasteurization in the final container.—Pasteurization in the final container shall be carried on so that the entire contents of the container are heated to the legal temperature for the legal length of time.

REGULATION 5. Each licensee shall cause a chart which has not previously been used, and dated with the year, month, and day of the month, to be placed upon each recording thermometer upon each day when milk is to be pasteurized. Each licensee shall keep each thermogram of pasteurization temperatures on file for a period of not less than 12 months at the premises covered by the license.

REGULATION 6. Each licensee shall cause the establishment covered by the license to be maintained and operated in a clean, healthful, and sanitary manner.

REGULATION 7. Each establishment shall be adequately lighted and ventilated. All floors shall be water-tight, properly graded, and drained so as to discharge into a public sewer a properly constructed cesspool, or septic tank, or be conveyed by drains to a point at least 500 feet from the building. Such disposal of waste shall, in addition, conform to regulations of the town where the establishment is located. All walls and ceilings shall be tight and shall be kept clean by the licensee. The licensee shall take measures to exclude flies from rooms where milk is handled or processed. No stable nor any room used for living or domestic purposes shall communicate directly with any room in which milk is processed or in which utensils are washed.

REGULATION 8. Each licensee shall provide suitable toilet facilities for the use of employees but no such toilet shall communicate directly with any room used for handling milk or milk products, or with any room in which utensils are washed. Privies or earth closets must be situated at least 100 feet from the building and must be equipped with fly-proof vaults and self-closing seat covers. Each licensee shall provide a suitable washroom, separate from the pasteurizing room, with running water, soap, and towels, for employees. The water must be either from a public water supply or from a private water supply subject to the

approval of the department of public health.

REGULATION 9. All apparatus used in pasteurization of milk must be so constructed that it can be easily taken apart for cleaning, and adequate facilities for the sterilization of such apparatus and of all containers used in the handling and storage of milk must be provided by the licensee.

REGULATION 10. Each licensee shall clean and sterilize, in so far as practicable, all weigh cans, storage vats, pumps, filters, clariflers, pipes, and all other appa-

ratus for the handling of milk after being used. Each licensee shall sterilize, in so far as practicable, all bottles and cans used for holding pasteurized milk and protect them from contamination between the time of such sterilization and

the time when they are filled.

REGULATION 11. Each licensee shall, upon the premises where the milk is pasteurized, cause all pasteurized milk to be put into containers, sterilized and protected as provided in regulation 10, and such containers shall be immediately capped, and in the case of bottles, by a machine capper. All bottle caps must be purchased and stored in tubes and each cap shall bear the word "pasteurized." This requirement relating to labeling of caps shall go into effect upon the 1st day of January, 1928.

upon the 1st day of January, 1928.

REGULATION 12. All pasteurized milk shall, until the time of delivery from the licensed establishment, show a count of not more than 100,000 colonies per cubic centimeter as determined by the standard plate methods of the American Public Health Association, in use at the time the examination is made, and in the case of cream not more than 500,000 colonies. Each count shall be the median of not less than three nor more than seven samples taken from different containers at

substantially the same time.

REGULATION 13. Licenses may be granted to persons engaged on July 14, 1927, in the business of pasteurizing milk if either the establishment or the machinery is not in strict accordance with these regulations, and a reasonable time for necessary changes not exceeding five months shall be given the licensee prior to revocation of the licensee provided that the establishment is operated in a clean, healthful, and sanitary manner, and provided further that the licensee shall, prior to September 1, 1927, in good faith contract for such necessary changes in construction and for such new machinery as will cause the establishment to conform with these regulations.

Ice Cream—Definition—When Deemed Adulterated—Manufacture, Handling, and Sale—Physical Examination of Employees May be Required. (Ch. 278, Act April 18, 1927)

Section 1. Chapter 94 of the general laws is hereby amended by striking out sections 64 and 65 and inserting in place thereof the following eight sections:

Sec. 64. For the purposes of sections 64 to 65F, inclusive, ice cream is hereby defined to be the frozen product of cream, milk or skimmed milk, or any combination thereof, or of milk products, with sugar, and with or without the addition of pure gelatine or vegetable gums. Such product shall contain not less than 10 per cent of milk fat and not less than 18.5 per cent of total milk solids: Provided, That if eggs, fruit, fruit juices, cocoa, chocolate, or nuts are added thereto, such product shall contain not less than 8 per cent of milk fat and not less than 16.5 per cent of total milk solids.

SEC. 65. Ice cream shall be deemed to be adulterated-

First. If it contains saccharin or any preservative, mineral, or other substance or compound deleterious to health: *Provided*, That this clause shall not be construed to prohibit the use of harmless coloring matter when not used for fraudulent purposes.

Second. If it contains any fats, other than milk fat or egg fat, or any oils or paraffin added to, blended with, or compounded with it: *Provided*, That chocolate ice cream and the coating of coated ice cream may contain cocoa butter.

Third. If it is made in whole or in part from, or contains ice cream which for any reason is unfit for food.

SEC. 65A. No person, himself or by his servant or agent, shall-

(a) Manufacture, sell, or offer or expose for sale, or have in possession with intent to sell or offer or expose for sale, under the name of "ice cream" any substance not conforming to the provisions of the two preceding sections or adulterated within the meaning of the preceding section.

(b) Sell or offer or expose for sale, or have in possession with intent to sell or offer or expose for sale, ice cream in a container which is falsely labeled or branded as to the name or address of the manufacturer of such ice cream, or an imitation of or substitute for ice cream under a coined or trade name which

does not identify its true character.

(c) Sell ice cream from a container or a compartment of a cabinet or fountain, which contains any article of food, other than ice cream or an imitation or substitute for ice cream offered for sale under a coined or trade name which plainly identifies its true character.

(d) Handle ice cream or coated ice cream in unclean, unsanitary, or unhealthful premises or in an unclean, unsanitary or unhealthful manner.

(e) Use or lend, borrow, hire, or lease for use any ice-cream can, tub, jacket, or other container for any other purpose than the handling, storing, or shipping therein of ice cream.

(f) Engage in the business of manufacturing ice cream without a license so to do from the board of health of the town where such business is or is to be

located.

SEC. 65B. Local boards of health may grant to suitable applicants therefor licenses to manufacture ice cream. Applications for such licenses shall be made upon forms prescribed by the department of public health. No license shall be granted hereunder until after inspection and approval by such local board of the premises wherein the business so licensed is to be carried on. Each license so granted shall, unless sooner revoked, expire on April 30 following its issue, and the fee therefor shall be \$1. Any such license may be revoked at any time, for cause and after a hearing, by the local board which granted it.

SEC. 65C. No person engaged in the business of manufacturing or selling ice cream shall knowingly employ therein any person affected with any contagious, infectious, or other disease or physical ailment which may render such employment detrimental to the public health, or any person who refuses to submit to

the examination referred to in section 65D.

SEC. 65D. The comm ssioner of public health or local boards of health, within their respective jurisdictions, may require any person intending to work, or working, in an establishment engaged wholly or in part in the business of manufacturing or selling ice cream, and whose duties actually pertain to such manufacture or sale, to submit to thorough physical examination to ascertain whether he is afflicted with any contagious, infectious, or other disease or physical ailment which might render such employment detrimental to the public health. Such examination shall be made by a physician duly registered and licensed to pract ce in the Commonwealth, and shall be made without charge to the person examined and at the expense of the department of public health or local board making it. Any person so examined may have his physician present at the examination.

SEC. 65E. The department of public health, and local boards of health within their respective jurisdictions, shall enforce the provisions of sections 64 to 65F, inclusive, and may make rules and regulations consistent with said

provisions.

SEC. 65F. Whoever violates any provision of sections 64 to 65E, inclusive, or of any rule or regulation made thereunder, shall be punished by a fine of not less than \$15 nor more than \$500, or by imprisonment for not more than six months.

Sec. 2. Said chapter 94 is hereby further amended by inserting before section 186 the following new section:

SEC. 185A. Sections 186 to 195, inclusive, shall not apply to ice cream.

Unwholesome Food-Sale. (Ch. 46, Act February 21, 1927)

[This act amends section 150 of chapter 94, general laws, 1921, to read as

SEC. 150. Whoever, himself or by his agent, sells or offers for sale for food or drink any diseased animal or product thereof or any tainted, diseased, corrupt, decayed, or unwholesome carcass, meat, fish, vegetable, produce, fruit, or provisions of any kind, except when packed in such a container that upon reasonable inspection the condition of the contents thereof can not be ascertained, without making the condition of the thing sold or offered for sale fully known to the buyer, shall be punished by a fine of not more than \$200 or by impr sonment for not more than six months, or both.

Shellfish-Investigations Relative to Transplanting Shellfish from Contaminated Areas to Clean Waters and Relative to Rendering Shellfish from Contaminated Areas Safe for Use as Food. (Ch. 33, Resolve April 20,

Resolved. That the department of conservation is hereby authorized to investigate the feasibility of transplanting shellfish from contaminated areas to clean waters, in cribs or otherwise, and the department of public health is hereby directed upon request to assist in such investigations by investigating and advising as to the feasibility and practicability of rendering shellfish taken from contaminated areas safe for use as food by means of disinfection or otherwise and as to the period or periods of time necessary for shellfish taken from contaminated areas and placed in clean waters to become safe for use as food. The said

department of conservation shall report to the general court its findings and its recommendations, if any, by filing the same with the clerk of the house of representatives not later than December 1 in the current year, and shall at the same time file a copy thereof with the budget commissioner. After appropriations have been made, the department of conservation may expend for the purposes of this resolve \$1,000, and the department of public health \$2,000.

Shellfish—Granting of Permission to Take, from Contaminated Areas—Certificates Concerning Condition of Shellfish Beds—Certificates Concerning Handling and Shipping. (Reg. Dept. of Public H., September 30, 1927)

1. No permission to take shellfish from areas found to be contaminated will be granted to any person except under the following provisions:

(a) Those employed by the department of public health in making special

investigations relative to shellfish.

(b) To take shellfish for the purpose of transplanting to clean waters after the receipt of an affidavit to the effect that all shellfish so taken shall be used only for transplanting in clean waters for such period or periods of time as the department may specify and upon receipt of a statement from the division of fisheries and game that such work will be conducted under supervision adequate to protect the public health and that the cost of suitable inspection by an inspector or inspectors, to be appointed by the division of fisheries and game, will be paid for by the person or persons taking the said shellfish.

(c) For the purpose of taking mussels for bait purposes only upon receipt of an affidavit that the shellfish so taken will not be used for food, and upon receipt of a statement from the division of fisheries and game of the department of conservation that the person making the application is a deep-sea or commercial fisherman and that the contaminated area in question can be kept

under observation.

"BED" CERTIFICATES

2. Every person, firm, or corporation desiring certificates relative to the condition of tidal waters and flats and shellfish taken therefrom shall make formal application therefor in writing to the department of public health. Said application shall describe the area to be covered by said certificate (herein referred to as "bed" certificate), and before said certificate shall issue the applicant shall agree in writing that the said certificate will be employed by him only in connection with shellfish taken from the area covered by said certificate, and the applicant shall further agree in writing that he will take no shellfish other than from the area described in said certificate. The applicant shall further agree in writing to surrender said "bed" certificate to the department of public health, its agents, or officers, upon demand. The applicant shall further agree that the "bed" certificate issued by the department shall not be used in connection with shellfish floated in or brought into contact with polluted waters while being transported, stored, or prepared for shipment, sale or use as food.

3. No "bed" certificate shall be used by the holder thereof in connection

with shellfish taken from areas not specified therein.

4. No certificates shall be issued to persons, firms, or corporations who have been found guilty by a court of competent jurisdiction of violation of any of the provisions of chapter 370 of the acts of 1926. The department reserves the right to demand the immediate return of "bed" certificates.

5. "Bed" certificates shall be in the following form:

(Date)

Commissioner of Public Health.

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^{*} Supplement 65 to Public Health Reports, p. 97.

SHIPPING CERTIFICATES

6. Every person, firm, or corporation desiring certificates as to conditions under which shellfish are handled for interstate shipment, shall make a request in writing to the department of public health and shall file an affidavit stating that all shellfish handled under this certificate come only from tidal waters or flats, the purity of which has been certified to by this department or from other houses approved by this department or the United States Public Health Service. Such application shall include the names and addresses of all persons to whom shellfish are to be shipped.

7. These certificates will be revoked for any violation of the regulations of the United States Public Health Service or of rules and regulations of the localities to which the shellfish are to be shipped, or of the food laws of this

Commonwealth, or of the terms of the affidavit.

8. Such certificates shall be in the following form:

(Date) _

This is to certify that _____, who operates a packing and shipping establishment for the handling and sale of shellfish at _____, in the county of _____, Commonwealth of Massachusetts, has complied with the sanitary food law of the Commonwealth as it pertains to the handling and shipping of shellfish and has given an affidavit that only such shellfish as may be secured from beds or areas examined and approved by this department or the United States Public Health Service will be shipped from this establishment.

Commissioner of Public Health.

Massachusetts shellfish certificate No. --- (for shell stock only).

Cattle-Tuberculin Testing-Appraisal when Tuberculous-Indemnity for Animals Destroyed Because Tuberculous. (Ch. 335, Act April 27, 1927)

[This act adds section 33B to, and amends sections 32 and 33 (as amended by ch. 303, laws of 1927) of, chapter 129, general laws, 1921, to read as follows: SEC. 33B. Whenever not less than 85 per cent of the cattle permanently kept in a town are, upon application of their owners, being tested for bovine tuberculosis under the supervision of the director [of animal industry], the

director may apply the same test to all other cattle in such town.

SEC. 32. Tuberculin as a diagnostic agent for the detection of tuberculosis in domestic animals shall be used only upon cattle brought into the Commonwealth and upon cattle in quarantine stations at Brighton, Watertown, and Somerville; but it may be used as such diagnostic agent on any animal in any other part of the Commonwealth, with the written consent of the owner or person in possession thereof, and upon animals which have been reported as tuberculous upon physical examination by a competent veterinary surgeon, and also as provided in section 33B. Such tests by the use of tuberculin shall be made without charge to citizens of the Commonwealth, and in all other cases the expense of such tests shall be paid by the owner of such animals or by the person in

possession thereof.

SEC. 33. Except as otherwise provided, a person who has animals tested with tuberculin shall not be entitled to compensation from the Commonwealth for any animals which react to the tuberculin test unless they have been tested by the director or qualified veterinarians acting under his authorization and have been owned and kept by the owner applying for the test on the premises where tested for a period of not less than 60 days next prior to the date of said test, or have been admitted to the herd on a test approved by the director. The director may prescribe rules and regulations for the inspection of cattle by the application of the tuberculin test and for the segregation or slaughter of reacting animals; but no inspection by the application of such test shall be made unless an agreement has previously been entered into for such inspection and application with the owner of the animals, except as provided in section 33B. If, in the opinion of the director, any of the animals react to the test and are slaughtered in consequence thereof, the owner shall be reimbursed by the Commonwealth in the manner hereinafter provided. The director may appoint persons to make appraisals of reacting cattle in conjunction with the owner or his authorized representative. Such appraisal shall be subject to the rights of arbitration and petition set forth in section 31: Provided, That the award or damages shall be within the limits prescribed by this section. The Commonwealth shall pay to the owner of any animal slaughtered under authority of any rules or regulations made hereunder one-third of the difference between the amount received by the owner for the carcass of the animal and the value of

the animal as determined by appraisal as aforesaid: Provided, That payment by the Commonwealth hereunder shall not exceed \$25 for any grade animal or \$50 for any purebred animal: And provided further, That the owner or his representative has not, in the opinion of the director, by willful act or neglect, contributed to the spread of bovine tuberculosis.

Tuberculin—Reports Regarding Shipment, Delivery, Receipt, and Use. (Ch. 215, Act April 6, 1927)

[This act adds the following section to chapter 129, general laws, 1921:]
Sec. 31A. Every person who, himself or by his servant or agent, ships from a place within the Commonwealth or otherwise delivers any tuberculin to a person within the Commonwealth shall forthwith file with the director [of animal industry] a written statement containing the name and address of the person to whom the same was shipped or delivered as aforesaid and the quantity thereof. Every person receiving tuberculin for use in connection with domestic animals shall forthwith after such use file with the director a written statement containing the name and address of the person whose cattle have been tested with such tuberculin and of the person from whom the same was received, together with records of said test upon blanks furnished by the director. Whoever violates any provision of this section shall be punished for the first offense by a fine of not less than \$25 nor more than \$100, and for a subsequent offense by a fine of not less than \$50 nor more than \$500. This section shall not apply to common carriers, their servants, or agents.

Dead Bodies—Permit for Burial, Disinterment, or Removal. Deaths—Registration. (Ch. 48, Act February 21, 1927)

[This act amends section 45 (as amended by ch. 243, laws of 1926) of chapter

114, general laws, 1921, to read as follows:]

SEC. 45. Except as provided in sections 44 and 46, no undertaker or other person shall bury or otherwise dispose of a human body in a town, or remove therefrom a human body which has not been buried, until he has received a permit from the board of health or its agent appointed to issue such permits, or if there is no such board, from the clerk of the town where the person died; and no undertaker or other person shall exhume a human body and remove it from a town, from one cemetery to another, or from one grave or tomb other than the receiving tomb to another in the same cemetery, until he has received a permit from the board of health or its agent aforesaid or from the clerk of the town where the body is buried. No such permit shall be issued until there shall have been delivered to such board, agent or clerk, as the case may be, a satisfactory written statement containing the facts required by law to be returned and recorded, which shall be accompanied, in case of an original interment, by a satisfactory certificate of the attending physician, if any, as required by law, or in lieu thereof a certificate as hereinafter provided. If there is no attending physician, or if, for sufficient reasons, his certificate can not be obtained early enough for the purpose, or is insufficient, a physician who is a member of the board of health, or employed by it or by the selectmen for the purpose, shall upon application make the certificate required of the attending physician. If death is caused by violence, the medical examiner shall make such certificate. If the death certificate contains a recital, as required by section 10 of chapter 46, that the deceased served in the Army, Navy or Marine Corps of the United States in any war in which it has been engaged, such recital shall appear upon the permit. The board of health or its agent, upon receipt of such statement and certificate, shall forthwith countersign it and transmit it to the clerk of the town for registration. The person to whom the permit is so given and the physician certifying the cause of death shall thereafter furnish for registration any other necessary information which can be obtained as to the deceased, or as to the manner or cause of the death, which the clerk or registrar may require.

Wood Alcohol, Denatured Alcohol, etc.—Unlawful Sale. (Ch. 169, Act March 25, 1927)

Chapter 138 of the General Laws is hereby amended by striking out section 37 and inserting in place thereof the following:

Supplement 65 to Public Health Reports, p. 101.

SEC. 37. The sale of methyl alcohol, wood alcohol, so-called, denatured alcohol, or any preparation containing alcohol as described in section 34, by a person not licensed as required by sections 34 and 35, or by a licensee to a person under 16 years of age or to any person without reasonable investigation and inquiry to determine that the same is not to be used for drinking purposes, shall constitute the offense of unlawful sale of alcohol and may be described as such in any complaint or indictment without more; but a person so charged shall be entitled to a bill of particulars in accordance with section 40 of chapter 277.

MICHIGAN

Communicable Diseases—Reports of Cases—Investigation of Suspected Cases—Reports by Local Health Officers to State Department of Health—Reports of Removal of Cases to Other Health Jurisdictions—Attendance at Schools and Gatherings—Placarding—Quarantine—Hospitalization—Funerals—Isolation—Disinfection—Carriers—When Persons Are Regarded as Immune—Terms Defined—Contacts—Sale of Milk—Control Measures for Specific Diseases. (Reg. Dept. of H., December 14, 1927)

SECTION II. SCOPE

1. Necessity: It is hereby declared by the Michigan Department of Health to be necessary and proper for the preservation of the public health to make the following rules and regulations concerning relationsh p with places of infection and for the apprehension and treatment of persons who may be affected with or who shall have been exposed to any infectious, contagious, or communicable disease.

2. Minimum requirements: It is hereby declared by the M'chigan Department of Health that these rules and regulations are to be the minimum requirements for the safeguarding of the public health within this State.

3. Power to make additional rules: Local boards of health are hereby authorized and empowered to make such additional rules and regulations for the care and control of communicable diseases as may be necessary, provided they are not in conflict with these basic rules and regulations, and are not contrary to the best public health practices.

4. Investigation of suspected cases: Whenever a local board of health receives a report of a case of a communicable disease from a person who is not a physician or receives a report from a physician that a certain case is suspected of being a contagious disease, the said local board of health shall cause an investigation to be made to determ ne the true nature of the disease. This investigation shall be made by a physician or by a medical representative of the Michigan Department of Health.

5. Reports to the Michigan Department of Health: Local health officers are required to forward all reports of the occurrence of communicable d sease to the Michigan Department of Health immediately. This has been interpreted by the courts to be within the following 24 hours.

6. Removal: Whenever local boards of health allow the removal of a case of communicable disease while in an infectious state from the r jurisdiction, this fact shall be reported to the Michigan Department of Health

this fact shall be reported to the Michigan Department of Health.

7. Repeal of previous rules and regulations: All rules and regulations of the Michigan Department of Health promulgated prior to this date which are in conflict in whole or in part with any of these rules and regulations are hereby repealed in so far as they conflict with these rules and regulations.

8. Provision for new rules and regulations: All rules and regulations issued by the Michigan Department of Health at a date subsequent to the date of these rules and regulations shall amend or modify these rules and regulations on every point of conflict.

9. For the purpose of these rules and regulations the following diseases are declared to be reportable:

Actinomycosis.

Acute infectious conjunctivitis (oph-

thalmia neonatorum). Ankylostomiasis.

Anthrax.
Cerebrospinal fever (meningococcus meningitis).
Chancroid.

Chicken pox.
Cholera.
Dengue.
Diphtheria (membranous croup).
Dysentery (amœbic or bacillary).
Encephalitis lethargica (sleeping sickness).
Erysipelas.

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German measles. Glanders. Gonorrhea. Influenza (epidemic only). Leprosy. Malaria. Measles. Mumps. Paratyphoid fever. Pneumonia (lobar or broncho). Poliomyelitis (acute anterior). Rabies. Rocky Mountain fever.

Septic sore throat. Smallpox. Syphilis. Tetanus. Trachoma (granular conjunctivitis). Trichinosis. Tuberculosis (all forms). Tularemia. Typhoid fever. Typhus fever. Undulant fever (Malta fever). Vincent's angina. Whooping cough. Yellow fever.

10. The following contagious and preventable diseases shall be excluded from the schools but need not be reported:

Impetigo. Tinea tonsurans (ringworm). Scabies.

Scarlet fever (scarlatina).

Pinkeye. Pediculosis.

Other contagious skin conditions.

SECTION III. DEFINITIONS AND EXPLANATIONS

1. Reporting.—(a) Definition: For the purpose of these rules and regulations a case of any of the diseases mentioned in section 2 may be said to be reported when the name of the person, address, age, color, sex, together with the name of the disease existing or suspected, is given in writing to the local health officer (or Michigan Department of Health, if a venereal disease) immediately after seeing such a case. Court decision interprets the word "immediately" to mean "within the following 24 hours." The report shall be properly dated and signed, giving the address of the physician or other person so reporting.

(b) New cases in home: Every new case of a reportable communicable disease developing in a family where one already exists shall be reported. All these reports shall be forwarded by local health officers to the Michigan

Department of Health immediately.

(c) Special reports: For reporting chancroid, gonorrhea, or syphilis special blanks are obtainable from the Michigan Department of Health which shall be filled in and submitted as the official report of the case.

(d) Who shall report: Cases shall be reported as described above by the following persons, provided that no person shall be prosecuted for not reporting

a case that has already been reported.

(1) Physicians and dentists shall report all cases known or suspected by them of having any of the diseases mentioned in section 2 of these rules and regulations.

(2) All persons other than physicians shall report as described above all suspected cases and all places where they have reason to believe there is a case of communicable disease. Among others this includes:

(a) Parents and guardians.

(b) Superintendents, principals, and teachers of all public and private schools.

(c) Nurses whether engaged in private duty, school, public health, or industrial work.

(d) Keepers of hotels and lodging houses.

(e) Superintendents of public or private hospitals, clinics, dispensaries, asylums, or jails.

(f) Owner or manager of any dairy farm or other place where dairy products are handled or offered for sale shall report all possible cases among their own families or the families of their employees.

(g) Licensed embalmers shall report all cases where they are called upon to embalm a body when the death certificate certifies that the primary or contributory cause of death was one of the diseases mentioned in section 2.

It is the intent and expectation of these rules and regulations that every case of communicable disease will come to the attention of some one who will be legally responsible for the reporting of the case.

By requiring suspected cases to be reported the same as known cases, the possibility of mild, missed, or abortive cases not receiving attention is

Summary: What is to be reported. All cases and suspected cases of the diseases listed in Section II.

When. "Immediately" has been defined by the courts to mean "within the ensuing 24 hours."

How. Reports can only be made officially in writing.

Where. To the local health officer. (Venereal diseases must be reported directly to the Michigan Department of Health.)

Who. Any physician who sees the case or the layman who has reason to

believe of the existence of a case or a suspected case.

2. Placards.—(a) Definition: For the purpose of these rules and regulations the word "placard" shall mean that a card, at least 7 by 11 inches in size, bearing in large letters the word "quarantine" or "warning" shall be conspicuously placed on or near all doors leading to and from the quarantined area.

(b) Kinds: One kind of card is used to announce a quarantine and another to show where a case of measles, whooping cough, mumps, chicken pox, or German measles resides, or carriers or exposures to quarantinable diseases.

(1) Quarantine placard: A quarantine placard shall be a card which shall read essentially as follows:

QUARANTINE

No one shall enter or leave these premises, except as provided by the rules and regula-tions of the Michigan Department of Health.
Violation of this rule is punishable by law.
This ard is to be used in cases of diphtheria, scarlet fever, smallpox, pollomyelitis, and

meningitis. It is a misdemeanor punishable by law to remove this placard without authority of the local health officer.

Local Health Officer.

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(2) Warning card: A warning card shall be a card which shall read essentially as follows:

WARNING

This card establishes an isolation as defined by the Michigan Department of Health. This card is used on the home of cases of measles, whooping cough, chicken pox, mumps, German measles, diphtheria carriers, and exposures to a quarantinable disease.

It is a misdemeanor punishable by law (1) to allow any child susceptible to this disease living in this house to return to school while this placard is posted, or (2) to remove this placard without authority of the local health officer.

Local Health Officer.

(c) Purpose: The local board of health has the responsibility of informing the public where any menace to health exists. This responsibility is met by the use of placards announcing such factts to the public.

(d) Responsibility: The responsibility of putting up and taking down placards rests upon the local board of health. Any improper use or unauthorized

removal of a placard is punishable by law.

3. Quarantine.—(a) Definition: For the purpose of these rules and regulations, "quarantine" shall mean the segregation of persons having or suspected of having any communicable disease, in such a place and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to the public. No person or thing is to enter or leave quarantined premises without permission of the local health officer.

(b) Diseases to be quarantined: Diphtheria, scarlet fever, smallpox, polio-

myelitis, meningococcus meningitis.

(c) Requirements of quarantined premises and the facilities necessary for

(1) Quarantine can only be established in a dwelling or such parts of a dwelling as have facilities for preparing food, washing clothes, and means of personal toilet.

(2) Under such circumstances, as approval by the local health officer, any other rooms under the same roof not needed by the persons within the quarantine, may be sealed off by a representative of the local health officer, and used for other purposes, provided that entrance and exit can be had without entering the quarantined area.

(3) A quarantine can only be established in quarters that have facilities for carrying on all the functions of life and any additional requirements of the sick person. Where such facilities do not exist, the local health officer may remove the case to a proper place as authorized by law.

(4) Appropriate notice of all quarantined areas shall be given the public by the local health officer by means of placards and otherwise when deemed

- (5) No person or thing shall enter or leave a quarantine without specific permission of the local health officer. The physicians in attendance upon the case are hereby granted this permission while carrying out their professional duties. Ministers of the Gospel may be granted this permission by the local health
- (d) Privileges of persons living in quarantined premises: Quarantined adults not ill with the disease may go into the yard surrounding the house for the purpose of hanging out properly disinfected clothes, getting coal and carrying out ashes, provided there is no other person in the yard at the time.

(e) Disposition of persons exposed to the disease by reason of living in the

home of the patient before the establishment of the quarantine:

(1) Adults: May be immunized, instructed, disinfected, and released to live elsewhere, when such release is specifically provided for in these rules and regulations and on such conditions as are approved by the local health officer.

(2) Immune children: Same as adults. (3) Children not known to be immune-

(A) May live in the quarantined premises provided the patient is kept in

isolation within the quarantine, or

(B) May live in isolation in some other home, where there are no children, and no communicable diseases, for a period of 7 days (17 days if the disease is smallpox). After the proper period in this isolation, as defined in these rules and regulations, the child may be released and return to school, provided there have been no clinical or laboratory manifestations of any disease.

General provisions governing quarantined premises.—(1) Return to school after living in quarantine: All school children and adults whether they have been sick or well shall be excluded from school and all other places where they will have similar contact with groups of children, for a period of seven days after they leave the premises that have been quarantined; except that persons not known to be immune to smallpox who have been in an area quarantined for smallpox shall be placed in isolation for 17 days after leaving the quarantine.

(2) Certain diseases on a dairy farm: As long as there is a case of typhoid, paratyphoid, cholera, dysentery (amoebic or bacillary), septic sore throat or any quarantinable disease on a farm, no dairy products of any kind shall be sold or removed from such dairy farm, except upon the written order of the

local health officer after approval of the State health commissioner.

(3) Moving a quarantined person: This is forbidden by the general provision that "no person or thing shall enter or leave quarantined premises." When it is for the benefit of the patient or the public health, removal of a patient to an isolation hospital is hereby authorized after notification has been given to the hospital and to the local health officer.

(4) Milk bottles from quarantined premises and from premises where there are cases of typhoid, paratyphoid, cholera, dysentery, and septic sore throat.

(a) Milk bottles, milk pails, or food containers of any sort shall never be

allowed to leave the premises during the quarantine period.

(b) When milk bottles, milk pails, or food containers are brought into these premises, they shall be allowed to collect during the entire period of the illness

or of the quarantine.

- (c) After the quarantine is terminated or the cases of the other specified diseases have recovered, all these milk bottles, milk pails, and food containers shall be thoroughly disinfected by being completely immersed in boiling water for 15 minutes.
- (d) It is recommended that a pitcher or other suitable container be placed outside the door of the premises and that the milkman pour the milk into it, and carry the bottle away immediately.

(5) When approved by the local health officer, a nurse may enter and leave

quarant ned premises to render nursing service by the hour.

(6) When approved by the local health officer, a nurse when employed for the professional care of a patient with a contagious disease may be released from the quarantine one day each week, after the first week of the quarantine.

(7) Funerals of persons dying in quarantine: Whenever a death occurs in quarantined premises, the funeral shall be a private funeral. A private funeral

has been defined by the Michigan department of health as follows:

"Rule 12. Private funerals: A private funeral is one at which only the presence of the immediate family and those in the house with the deceased prior to death, the necessary representatives of the health department, undertaker, and his assistants, is allowed. Private funerals can not be held from churches and neither the funeral party nor the body may be taken to the church."

Release of persons before the termination of quarantine.—(1) The patient never without the written permission of the State health commissioner, except

for removal to hospital.

(2) Adults may be immunized, instructed, disinfected, and released to live elsewhere on such conditions as are provided for each quarantinable disease.

(3) Immune children: Same as adults.

(4) Children of school age or less than school age who are not known to be immune as defined in these rules and regulations may be released only to be p.aced in isolation in another home. Children of school age who have been placed in such isolation may be released from this isolation after 7 days, except that if the disease is smallpox the isolation of the suceptible exposed person shall be for 17 days. A school child thus isolated may then return to

Termination of quarantine; quarantine shall not be terminated until.—(1) The minimum period specified for each quarantinable disease has elapsed, and

(2) The specific c.inical or laboratory observations required by these rules and regulations shall have been made and found to indicate that the patient is not in an infectious state.

These observations are:

(a) Diphtheria: Two consecutive negative cultures from the nose and throat, taken at intervals of 24 hours, the first one not to be taken earlier than the ninth day of the quarantine.

(b) Scarlet fever: Cessation of fever and all abnormal discharges from the

ears, nose, or broken-down glands.

(c) Smallpox: Complete return of continuity of the skin over the lesions.

(d) Poliomyelitis: Seven days of normal temperature. (e) Meningitis: Seven days of normal temperature.

4. Isolation.—(a) Definition: For the purpose of these rules and regulations "isolation" shall mean that the patient with certain communicable diseases shall.

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(1) Be excluded from school and all public gatherings.

(2) Not leave the residence except in the presence of an adult and then shall not leave the yard.

(3) Not come in contact directly or indirectly with any children not living

in the same household.

During the period of isolation in a home, children of school age not belonging to the home who enter the isolation must be isolated in their own home for the incubation period of the disease.

If the provisions of the isolation are not maintained by the patient the local

health officer shall establish a quarantine about the case.

5. Disinfection.—(a) Definition: For the purpose of these rules and regulations, the term "disinfection" shall mean the exercise of such specific measures for each disease and each infectious discharge and each infected article as will render them innocuous and harmless,

(1) Quarantine shall not be terminated until all the directions for concurrent disinfection shall have been carried out in compliance with these rules

and regulations and to the satisfaction of the local health officer.

(2) Concurrent disinfection shall mean the immediate disinfection of the infectious discharges and the fomites at the earliest possible moment after they have left the patient.

Concurrent disinfection shall be carried on at all times during the illness of the patient and as long thereafter as required by the local health officer.

(b) Methods of disinfection; how to disinfect during quarantine.—(1) Normal and abnormal discharges from the eyes, ears, nose, throat, skin lesions. and glands may be disinfected by being collected on bits of cotton, paper, or cloth, and burned at once.

(2) The hair and skin of the patient or attendants may be disinfected by

washing with soap and water.

(3) Bed clothes, pillow slips, sheets, nightgowns, towels, wash cloths, or any other cloth or clothing of any kind may be disinfected by being boiled with soap and water, for 15 minutes before leaving the premises of the quarantined area, if the case is quarantinable.

A wash boiler or tub shall be kept in the sick room one-third full of cold water. All cloths or clothing used by the patient shall immediately be placed

in this cold water.

Once a day this tub shall be taken to the stove and allowed to boil for 15 minutes. Clothes so treated may be hung out to dry.

Prompt moistening and boiling is much better than immersion in any disinfectant.

(4) Dishes, glassware, knives, forks, spoons, or any utensils used in feeding the patient shall be promptly disinfected by being washed and boiled.

Dishes used by the patient shall not be used by other members of the family,

but shall be set aside for the use of the patient only.

(5) Food from the sick room shall never be eaten by anyone, but shall be

collected and boiled or burned at once.

(6) Thermometers, rectal tubes, douche nozz'es, etc., shall not be removed from the sick room until the termination of the case. They shall be washed clean with soap and water after each use.

(7) Water that has been used to bathe the patient shall be boiled 15 minutes before being discarded unless it is immediately put into a sewer system.

(8) Bowel discharges: Disinfection of the bowel discharges when required in these rules and regulations shall be carried out by adding 5 tablespoonfuls of freshly opened chlorid of lime to a liquid stool, and stirring the mixture until all parts of the stool have been thoroughly mixed with the solution. This mixture should be allowed to stand, protected from flies for 30 minutes before being discharged into a sewer or privy vault.

Solid stool should have one pint of water added and be thoroughly stirred until the stool assumes a liquid character, and all lumps broken, and then

treated as described above.

(9) Bladder discharges: Disinfection of bladder discharges when required in these rules and regulations shall be carried out by stirring 3 tablespoonfuls of freshly opened chlorid of lime into each passage and allowing this mixture to stand 30 minutes before being discharged into a sewer or privy vault.

(10) Bedpans and urinals shall be thoroughly cleaned each time after use and rinsed out and left containing a small amount of dry chlorid of lime.

How to disinfect after quarantine.—Terminal disinfection shall be done at the end of the quarantine period and shall mean the exercise of those processes which will render the person, the personal clothing, and the immediate physical environment of the patient free from possibility of conveying infectious agents.

(1) Terminal disinfection of the person, rooms, or dwelling shall be carried out by the use of soap and water, fresh air, and sunlight as is found necessary

for the individual case.

(2) The use of any sort of fumigation or chemical is not required and is

only advised in special circumstances.

(3) Terminal disinfection of all clothes, bedclothes, thermometers, recital tubes, dishes, glassware, etc., which have been exposed to the patient while he is giving off infectious material shall be carried out as described for concurrent disinfection.

(4) Bedsteads, chairs, tables, floors, doors, woodwork, windows, etc., shall

be scrubbed with soap and hot water.

(5) All bed clothing, pillow silps, sheets, nightgowns, towels, and any other cloth or clothing of any kind that has been in contact with the patient shall be disinfected as provided in (b) (3).

(6) Milk bottles, milk pails, or food containers of any sort shall never be allowed to leave the quarters until the termination of the case or of the quarantine. If milk bottles, milk pails, and food containers are brought into the premises or the quarantined areas, they shall be allowed to collect during the whole period of illness or of quarantine and be thoroughly sterilized by being completely immersed in bolling water for 15 minutes after the case terminates or the quarantine has been lifted.

(7) It is recommended that a pitcher or other suitable container be placed outside the door of the premises of the case or of the quarantine and that the milkman pour his milk into it and carry his bottle away immediately. Having touched nothing or exchanged nothing, there will be no contamination and the

uncertainty of sterilizing accumulated bottles at the termination of the case

or of the quarantine will be entirely avoided.

(8) If a case of communicable disease has to be nursed at home, all unnecessary furniture, drapings, curtains, rugs, etc., should be removed from the room where the case is to be treated or quarantined, especially all furnishings that can not be readily cleaned and disinfected as described in these rules and regulations.

(9) As far as possible only such books, papers, magazines, and toys should be given the patient as are of little value, and these shall be destroyed by

burning when the case is released.

- 6. Carriers—(a) Definitions.—When an infectious agent is found on a person having no clinical manifestations of the disease, the person is said to be a
- (1) Incubatory carrier: When an infectious agent is found on a person having no clinical manifestations of the disease—who develops the disease within the incubation period after this finding, such person is an incubatory carrier.

(2) Convalescent carrier: When an infectious agent is found on a person having no clinical manifestations of the disease-soon after having had the disease, the person is a convalescent carrier.

(3) Direct-contact carrier: When an infectious agent is found on a person having no clinical manifestations of the disease-who has been in direct con-

tact with a case of the disease, the person is a direct-contact carrier.

(4) Remote-contact carrier: When an infectious agent is found on a person having no clinical manifestations of the disease—and who has had no contact with any active clinical case of the disease, the person is a remote-contact -carrier.

7. Immunity-(A) Definitions.-For the purpose of these rules and regulations, persons may be regarded as immune to a disease under the following

conditions:

(1) To diphtheria: (a) Having a negative Schick test.

(b) Having been inoculated with adequate doses of toxin-antitoxin as shown by a negative Schick test.

(c) Having been given at least 2.000 units of diphtheria antitoxin, the person

will be immune for six weeks.

(2) To smallpox: (a) By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local health officer at the time of the illness.

(b) By successful vaccination with cowpox virus, not more than five years

having elapsed since the vaccination.

(3) To scarlet fever: (a) By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local health officer at the time of the illness.

(b) Having been inoculated with adequate doses of scarlet fever strep-

tococcic toxin as shown by a negative Dick test.

(c) Having a negative Dick test.

(4) To typhoid fever or paratyphoid: (a) By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local health officer at the time of the illness.

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(b) By the inoculation of 2,500,000,000 of dead typhoid bacilli and 2,500,-000,000 of paratyphoid bacilli (A and B) given in three divided doses one week apart, the dosage of typhoid bacilli being of 500,000,000, 1,000,000,000, and

1,000.000.000 respectively; not more than two years having elapsed since the inoculation. (5) To whooping cough, mumps, chicken pox, measles, and German measles:

By having had the disease at some previous time and having fully recovered and this fact has been made a matter of record with the local health officer at the time of the illness.

B. Other definitions.

(1) For the purpose of these rules and regulations the word "susceptible"

shall include all persons not known to be immune.

(2) For the purpose of these rules and regulations the word "vaccination" shall mean the inoculation of cowpox virus, and the formation of a typical

lesion which heals with a characteristic scar.

(3) For the purpose of these rules and regulations the word "contact" shall mean any person who has been sufficiently near to any infected person

or animal to have been exposed to the possibility of the transfer of the infectious material either by direct contact or indirectly by articles freshly soiled by discharges from the patient.

8. Contacts.—Contact with a communicable disease will usually be found

to be in one of three degrees of intimacy.

Contact by reason of living in the home of a case is most intimate and therefore requires the closest degree of supervision, looking toward the contact

developing the disease.

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For example, a person who is a diphtheria contact by reason of having lived in the home of a case should be subject to the most careful supervision. That is, the adults and immune children should have their noses and throats cultured to determine whether they are carrying the organisms. The susceptible school children are excluded from school for a sufficient length of t me to allow the development of the disease, if they are to develop it from that con-

tact. This exclusion period is one week.

The second degree of intimacy of contact is that contact which results from being in a schoolroom or small school at the same time as a case in any stage of the development of the disease. For example, a child who is a contact by reason of having been in a schoolroom or small school simultaneously with a case of diphtheria should be given the advantage of (1) a throat culture examination and (2) a physical examination for any of the signs and symptoms that may be signs and symptoms of diphtheria, before the beginning of school work, every day for one week after the last possible exposure to a case of diphtheria.

The third degree of contact is that such as all persons are exposed to in carrying on the usual functions of their daily life. One can not live in a modern community, ride on street cars, go to theaters, attend church, etc., without being exposed to this degree of contact with infectious disease. To illustrate again with diphtheria: Persons are advised to call their physician's attention at once to any (1) sore throat, (2) rise of temperature, or, (3) any indisposition of any kind for a period of one week after any possible exposure.

9. Exclusion from school.—(1) Definition.—For the purpose of these rules and regulations the words "exclusion from school" shall mean that the persons so designated shall not enter any public or private school and that they shall be kept in their own homes under such restrictions as are designated in these rules and regulations as isolation. This exclusion from school and restriction of movement and contact of a person in isolation shall continue for such specific periods of time as are required by these rules and regulations for each

(2) Exclusion for disease.—(a) Quarantinable diseases: Any school child who has a quarantinable disease and has been in quarantine for that reason shall be excluded from school for one week after leaving quarantine. The quarantinable diseases are diphtheria, scarlet fever, poliomyelitis, meningitis, and smallpox.

(b) Placardable diseases: Any school child who has any of the placardable diseases, viz, measles, whooping cough, mumps, chicken pox, and German measles, shall be excluded from school for the periods designated by these rules and regulations for each specific disease. Inasmuch as mumps, chicken pox. and German measles have almost no serious complication or after effects, many cases occur not seen by physicians. Because of this, many school boards require assurance that children who have been out of school with these diseases are not in an infectious state when they return to school. This assurance is had in many schools by requiring a certificate from the family physician that the child is not in an infectious state. In schools having adequate school inspection, children returning to school after having these diseases are not allowed to attend their classes until they have been examined by the school physician and found not to be in a contagious state.

(c) Other diseases: Impetigo, scabies, favus, pinkeye, pediculosis (lice and nits).

Any school child who has any of these diseases shall be excluded from school under the following conditions. They shall be excluded until they come to school with evidence of being under treatment that will limit their infectiousness and are not a menace to the other children.

(3) Exclusion of well children .- (a) When a quarantine is established in a home, school children not known to be immune who are living in that home must either remain in the quarantine or go into isolation in another home for a period of one week (17 days if the disease is smallpox). After one week in isolation as defined in these rules and regulations, the child may return to school, provided he has no signs and symptoms of any contagious disease.

(b) When a quarantine is established in a home, the children who are known to be immune to the disease, as defined in these rules and regulations, may be instructed, disinfected and released to live elsewhere and need not be excluded from school at all. If the quarantine is established for diphtheria it is recommended that the immune school children have throat cultures taken the same as all other persons exposed to the disease. If this culture is found positive a virulence test should be asked for at once.

(c) When an isolation is established in a home, the school children not known to be immune, as defined in these rules and regulations, living in a home where there is a case of a placardable disease must be excluded from

school for the same period as the case.

(d) When isolation is established in a home the school children known to be immune, as defined in these rules and regulations, living in a home where there is a case of a placardable disease need not be excluded from school at all. The placardable diseases are measles, whooping cough, mumps, chicken pox, German measles.

These rules and regulations define immunity to these diseases as being established by a person having had one of these diseases and having recovered from it, provided this fact was made a matter of official record with the local board

of health at the time of the illness.

(e) Other diseases: School children living in a home where there is a case of impetigo, scabies, favus, pinkeye or pediculosis (lice and nits) need not be excluded from school but should be subjected to daily inspection so that they may be referred to their family physician as soon as any of the symptoms of any of these diseases are manifested.

(4) Exclusion from school for symptoms of disease.—(a) When children are found in school with any definitely diagnosed contagious d'sease, they shall be excluded from school and subjected to such means for the prevention of the

spread of the disease as is required by these rules and regulations.

(b) When school children attend school with any of the symptoms that might be symptoms of a contagious disease, these children may be excluded from school for the day. This "exclusion for the day" should be followed by a notice to the family and the family physician, in turn, be notified of the facts of the case. On the following day if these symptoms have disappeared or the family physician advises the school-teacher that the symptoms that were the bas s of the exclusion were not symptoms of a communicable disease, the child should be readmitted. If the child "excluded for the day" attempts to reenter school with the same symptoms for which he was excluded, this matter should be called to the attention of the family physician or the physician representing the school board. The most common signs and symptoms which are signs and symptoms of the onset of the common communicable d seases among school children are (1) sore throat, (2) headache or fever, (3) rash or skin eruption, (4) persistent coughing and sneezing, (5) inflamed eyes or abnormal discharge from the nose.

(5) Epidemic procedure.—(a) Closing schools during an epidemic is not good public-health practice. It is much better to have the children assemble at the school and to give each one a careful physical examination before the school opens for the day. Any child should be excluded who has any of the signs or symptoms that may be signs and symptoms of any commun cable disease. This exclusion shall be for the day only. The following day a true diagnosis of the contagious character of the malady usually can be made. If doubt concerning the true nature of the condition still exists, a second "exclusion for the day" may be applied to the case.

(b) For readm ssion after an exclusion for any cause or after any absence of three days or more, some school boards require a certificate from a physician.

(10) Contagious diseases on dairy farms.—(1) Certain communicable diseases are readily transmitted by means of milk or dairy products. For this reason these rules and regulations require that "owners and managers of any dairy farm or any place where dairy products are handled or offered for sale shall report all cases of communicable disease among their employees or their employees' families," to the local health officer.

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(2) Whenever a case of diphtheria, scarlet fever, smallpox, poliomyelitis, meningitis, typhoid fever or septic sore throat is found to exist on any farm or other place where dairy products are handled or offered for sale, the sale

of all milk fom these premises shall be stopped at once.

(3) Where the sale of milk or dairy products has been stopped under the provisions of the previous paragraph, the local health officer is hereby authorized to make an investigation as to the possibility of resuming the sale of such

dairy products.

(4) When the health officer finds such circumstances that—

(a) All the animals can be cared for, and(b) The milk can be handled by persons who are not living in a quarantined area, and

(c) All the utensils can be washed and cleaned by persons not living in the

quarantined area, and

(d) The persons in the quarantined area shall not come in direct or indirect contact with the animals or the milk or the utensils or any person who does come in contact with them, these facts shall be stated in writing to the State health commissioner who may, in his discretion, permit milk to be sold from these premises under these circumstances.

SECTION IV. DETAILED PROCEDURE FOR THE ADMINISTRATIVE CONTROL OF COMMUNICABLE DISEASES

Following will be found an alphabetical list of all the diseases made reportable in the State of Michigan together with the rules and regulations adopted by the State advisory council upon recommendation by the State health commissioner.

Where the words "reports," "placards," "exclusion from school," "quarantine," "disinfection," etc., are used, reference should be made to Section III to find the exact legal meaning and scope of these terms as defined for use in this manual.

These rules and regulations govern the care of the case, the care of the persons exposed, the care of the carriers, and have a few suggestions concerning the general measures for the prevention of the spread of disease and the prevention of the sequeix from them.

ACTINOMYCOSIS

(Lumpy jaw)

What to do with the case:

Must be reported, as described in Section III.

Must be placarded. No.

Must be excluded from school as provided in Section III.
 Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

Discharges from the lesions shall be gathered on bits of cotton, paper, or cloth and burned at once. All articles soiled with these discharges shall be disinfected, as described in Section III.

What to do with persons exposed:

Adults.—Give full instruction as to the nature and the means of spread of this

Children.-Need not be excluded from school.

ACUTE CONJUNCTIVITIS OF INFANTS UNDER 2 WEEKS OF AGE

(Does not include trachoma)

Synonyms.—Ophthalmia neonatorum, babies' sore eyes, gonorrheal ophthalmia. What to do with the case:

1. Must be reported, as provided in Section III.

Must be placarded. No.

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3. Must be excluded from school. (Patients are not of school age.) 4. Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

Discharges from the infected eye shall be gathered on bits of cotton or gauze and burned at once. The noninfected eye shall be adequately protected against infection. All articles soiled by the discharges shall be disinfected, as described in Section III.

What to do for persons exposed:

Children need not be excluded from school.

2. The seriousness of this infection must be impressed upon everyone coming in contact with the patient.

Where 24 hours' nursing service is not available, the patient shall be taken to a hospital where such service is available. The strictest precautions shall be observed regarding all the infectious discharges.

General measures.—Silver nitrate of 1½ per cent strength has been approved by the State advisory council as a prophylactic to be dropped into each of the child's eyes immediately after birth. The law requires that such a prophylactic measure be used for each child born in this State.

ANKYLOSTOMIASIS

(Hookworm disease)

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

Discharges from the bowels shall be disinfected.

General measures.—1. This disease can be prevented by proper personal cleanliness and the installation of proper privies or other sanitary means of feces disposal.

2. The attending physician shall give full information concerning the disease.

ANTHRAX

(Woolsorters' disease)

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. Yes.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

All discharges from the lesions shall be collected on bits of cotton, paper, or cloth, and burned at once.

All articles soiled with these discharges shall be disinfected as described in Section III.

General measures.—1. Animals dead of anthrax harbor virulent organisms, and such animals shall be burned at once, with minimum of handling.

2. All shaving brushes and other bristle goods coming into contact with tender parts of the skin shall be known to be sterile before used.

3. Tanners and woolsorters are especially exposed to this disease.

CHANCEOID

(Soft chancre)

What to do with the case:

1. Must be reported, as provided by act 272 of the Public Acts of 1919.

Special blanks will be supplied physicians on request from the Michigan Department of Health. These forms are to be filled out and returned directly to the Michigan Department of Health.

2. Must be placarded, if endangering the health of others.

3. Must be excluded from school, if endangering the health of others.

4. Must be quarantined, if endangering the health of others.

5. Must practice concurrent disinfection as described in Section III.

CHICKEN POX

(Varicella)

What to do with the case:

 Must be reported, as described in Section III. Cases and suspected cases must be reported.

Must be placarded, with a warning card, as described in Section III, for 14 days after the first vesicles appear and until the skin is entirely clear.

Must be excluded from school, as described in Section III, for the placarded period. All bu

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4. Must be quarantined. No, but isolation must be carried out as described

in Section III, for the placarded period.

5. Must practice concurrent disinfection, as described in Section III. infectious agent leaves the patent in the serum from the lesions and on articles soiled by this serum.

What to do with persons exposed:

1. Persons exposed by reason of living in the home of a case.

(a) Adults. No restrictions.

(b) Immune children. Same as adults.

(c) Children not known to be immune living in the home of a case, as described in Section III, shall be excluded from school for the same period as the

2. Persons exposed at school. No restrictions.

General measures.—1. Because of the confusion that sometimes exists between cases of mild smallpox and some cases of chicken pox, health officers are advised to make an investigation of every case reported as:

(a) Chicken pox in an adult.

(b) Chicken pox in an unvaccinated individual, regardless of age.

CHOLERA

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection as described in Section III.

Bowel discharges carry the infectious agent, and for this reason shall be carefully disinfected.

All articles soiled by the bowel discharges, urine, or vomited matter, shall be disinfected as described in Section III.

DENGUE

(Breakbone fever)

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection. No.

General measures.—This is a mosquito-borne disease.

DIPHTHERIA

What to do with the case:

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1. Must be reported, as provided in Section III. Must be placarded, as provided in Section III.

3. Must be excluded from school, as provided in Section III.

5. Must practice concurrent disinfection, as provided in Section III.

The infectious agent is carried by the discharges from the nose and mouth. All these discharges shall be gathered on bits of cotton, paper, or cloth, and burned at once.

All articles soiled with these discharges shall be disinfected as described in Section III.

Termination of quarantine.—Quarantine for diphtheria will not terminate

1. A minimum period of 12 days has elapsed from the establishment of the quarantine.

2. Also, two successive cultures of the nose and throat taken 24 hours apart, after the ninth day of the quarantine, fail to reveal diphtheria bacilli.

3. Also, the attending physician has reported complete clinical recovery.

4. Also, all measures specified as disinfection have been carried out to the complete satisfaction of the local health officer.

In cases where two consecutive negative cultures can not be obtained before the twenty-eighth day of the quarantine, the patient may be declared to be a carrier by the local health officer, and the quarantine terminated, and the patient held in isolation as described in Section III.

If the case terminates with the death of the patient, paragraphs 1, 2, and 3 do not apply.

What to do with persons exposed:

1. Persons exposed by reason of living in the home before the establishment of quarantine.—(a) Adults may be examined by clinical and laboratory methods and if found free of all symptoms and findings of the disease, they may be instructed, disinfected, and released to live elsewhere, if such release is approved by the local health officer.

(b) Immune children. Same as adults, (see definition of "immunity,"

Section III).

(c) Children not known to be immune-

(1) May live in the quarantined premises, provided the patient is kept in isolation within the quarantine, or

(2) May live in isolation in some other home where there is no case of any

disease, nor any other children.

After seven days in this isolation the child may be released and return to school, provided there have been none of the clinical manifestations of the disease and one culture from the nose and throat fails to reveal diphtheria

2. Persons exposed to this disease by reason of attending school with a case.-(a) Such contacts shall be carefully examined each day for the following seven days, for any of the signs and symptoms that may be the signs or symptoms of diphtheria. This examination shall precede the day's school work.

(b) Children showing any of the signs or symptoms that may indicate the onset of the diphtheria shall be excluded from school for the day to allow

the development of the symptoms found.

(c) Ch.Idren so excluded may only return to school after one nose and throat culture has been taken that failed to reveal diphtheria bacilli.

(d) Schools shall not be closed.

(e) Nose and throat cultures shall be taken of all school contacts immediately. The finding of diphther a bacilli is grounds for exclusion from school, and isolation as a diphtheria carrier. Carriers may be released from isolation and returned to school after one negative nose and throat culture.

3. Contacts in public.—All persons who know that they have been in contact with a case of d phtheria in a public place, should call their family physician's attention at once to any (1) rise of body temperature, (2) sore throat, (3) or indisposition of any kind for a period of one week after such exposure.

What to do with carriers:

1. Carriers shall be excluded from school and all public gatherings and kept in isolation in their own homes, and not come in contact with the public in any

2. If the provisions of isolation as described in the health officers' manual are infringed, quarantine shall be applied by the local health officer.

Carriers shall not handle food or dairy products offered for sale.
 Carriers shall live in a house placarded "Diphtheria carrier."

5. Carriers may be released and readmitted to school after one culture of the nose and throat fails to reveal diphtheria bacilli.

Restrictions on other persons living in the home of a carrier.-1. Adults shall have nose and throat culture taken; may come and go from the home as usual,

provided they are not carriers.

2. Children shall have throat cultures taken. Any carriers found among them shall be restricted as carriers. All children living in the home shall be excluded from school as long as the carrier. If these children go to another home to live, they may be readmitted to school as soon as one culture of the nose and throat fails to reveal diphtheria bacilli.

Release of persons living in quarantine before the termination of quarantine .- 1. The patient: Never, without the written consent of the State health

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2. Adults may be examined by clinical and laboratory methods and if found free from all symptoms and findings of the disease, they may be instructed, disinfected, and released, to live elsewhere, if such release is approved by the local health officer.

3. Immune children: Same as adults, see definition of "immunity," Section

4. Ch'ldren not known to be immune-

(a) May live in the quarantined premises, provided the patient is kept in isolation within the quarantine, or

(b) May live in isolation in some other home where there is no case of any

disease nor any other children.

General measures.—The early administration of adequate doses of antitoxin is the most efficacious treatment of diphtheria. Antitoxin shall be administered within the first 24 hours of the disease, whenever possible. The death rate is tripled each 24 hours that the patient is sick without antitoxin.

Twenty thousand to forty thousand units of antitoxin for moderately severe

cases is good practice.

Diphtheria antitoxin is much more effective when given in a single dose. The giving of repeated small doses is bad practice. The Schick test is advised as a means of determining the establishment of immunity, after the administration of toxin-antitoxin.

DYSENTERY

(Amoebic and bacillary)

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

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3. Must be exc.uded from school. Yes.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

Discharges from the bowels shall be disinfected.

What to do with persons exposed:

1. The attending physician shall give full instructions regarding the seriousness and the mode of spread of this disease.

2. Boil the drinking water and protect all food and milk from possibility

of being contaminated.

3. Dairy products of any sort shall not be removed from the premises where a case of this disease has occurred without consent of the State health commissioner.

EPIDEMIC ENCEPHALITIS

(Encephalitis lethargica, sleeping sickness)

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be exc.uded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection. No.

ERVSIPELAS

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be exc.uded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection. No.

FAVU8

(Apply these procedures below to cases of impetigo, scables, ringworm, pinkeye, pediculosis, and open sores)

What to do with the case:

1. Must be reported, as described in Section III. No.

2. Must be placarded. No.

Must be excluded from school. Yes; unless the patient has received adequate treatment and is no longer in an infectious state.

4. Must be quarantined. No.

5. Must practice concurrent disinfection. Yes. Disinfect all toilet articles of the patient. Collect discharges from the lesions on bits of cotton, paper, or cloth and burn at once.

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What to do with exposed persons:

1. Do not use hairbrushes, combs, hats, caps, towels, washcloths, pencils,

etc., used by the patient.

2. Avoid all contact with the patient and especially with the discharges from the lesions or objects soiled with these discharges.

GERMAN MEASLES

What to do with the case:

1. Must be reported, as described in Section III. Cases and suspected cases must be reported.

2. Must be placarded. Yes; with a warning card for seven days after the development of the rash.

3. Must be excluded from school. Yes; as described in Section III, for the placarded period.

4. Must be quarantined. No; but isolation must be carried out, as described in Section III, during the placarded period.

5. Must practice concurrent disinfection. Yes; of the discharges of the nose and throat.

What to do with persons exposed:

1. Adults: Guard carefully against measles for the prevention of pneumonia and tuberculosis, as defined in Section III.

2. Children known to be immune, as defined in Section III. Same as adults.

Do not exclude from school.

3. Children not known to be immune, living in the home of a case, shall be excluded from school for one week.

GONORRHEA

What to do with the case:

1. Must be reported, as described in Section III.

Special blanks are available, which shall be mailed to the Michigan Department of Health immediately after seeing any case. Blanks will be sent out on

2. Must be placarded. Yes; if endangering the health of others.

3. Must be excluded from school. Yes.

- 4. Must be quarantined. Yes; unless under the treatment of a physician and following advice regarding personal habits and the exposure of other persons to the disease.
- 5. Must practice concurrent disinfection. Yes; as described in Section III. (a) All discharges shall be gathered on bits of cotton, paper, or cloth and burned.

(b) All things soiled with the discharges shall be disinfected as described in Section III.

GLANDERS

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

(a) Discharges from the lesions shall be gathered on bits of cotton, paper, or cloth and burned at once.

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(b) All objects soiled by these discharges shall be disinfected, as described in Section III.

INFLUENZA

(Epidemic only)

What to do with the case:

1. Must be reported, as described in Section III. (In epidemics only.)

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection. Yes, all discharges from the nose and throat shall be collected on bits of paper, cotton, or cloth, and burned at once.

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LEPROSY TO THE PROPERTY OF THE

What to do with the case:

1. Must be reported, as described in Section III.

The responsibility for the care of all lepers is assumed by the Federal Government. All cases are transported to the National Leprosarium at Carville, La. the east.

What to do with the case:

1. Must be reported, as described in Section III.
2. Must be placarded. No.

3. Must be excluded from school. No.

5. Must practice concurrent disinfection, No.

What to do for persons exposed.—1. Quinine for prophylaxis.
2. Mosquito destruction.

2. Mosquito destruction.
3. Elimination of mosquito-bearing places.

What to do with the case:

- 1. Must be reported, as described in Section III. Cases and suspected cases must be reported.
- 2. Must be placarded. Yes; with a warning card for seven days after the development of the rash.
- 3. Must be excluded from school. Yes; as described in Section III, for the placarded period.
- 4. Must be quarantined. No; but isolation must be carried out as described in Section III, during the placarded period.
- 5. Must practice concurrent disinfection. Yes; of the discharges of the nose and throat.

What to do with persons exposed:

- 1. Adults.—Guard carefully against measles for the prevention of pneumonia and tuberculosis as defined in Section III.
- 2. Children known to be immune as defined in Section III. Same as adults. Do not exclude from school.
- 3. Children not known to be immune living in the home of a case shall be excluded from school for one week.

MENINGOCOCCUS MENINGITIS

(Epidemic meningitis, cerebrospinal fever)

What to do with the case:

- 1. Must be reported, as described in Section III.
- 2. Must be placarded, as described in Section III.
- 3. Must be excluded from school, as described in Section III.

4. Must be quarantined, as described in Section III.

5. Must practice concurrent disinfection, as described in Section III. Discharges from the nose and throat shall be collected on bits of cotton,

paper, or cloth, and burned at once.

All articles soiled by these discharges shall be disinfected as described in Section III.

Termination of quarantine for meningococcus meningitis-Quarantine shall not be terminated until:

1. A minimum period of 14 days from the establishment of quarantine.

2. Until seven days of normal temperature, and

3. The attending physician reports complete clinical recovery, and 4. The rules and regulations of the Michigan Department of Health concerning disinfection have been carried out to the complete satisfaction of the local health officer.

If the case terminates with the death of the patient, sections 1, 2, and 3 do

See the "General provisions governing quarantined premises," Section III. What to do with persons exposed:

1. Persons exposed to this disease by reason of living in the home before the establishment of the quarantine.—(a) Adults: May be examined by clinical and laboratory methods and if found free of all symptoms and findings of the disease they may be disinfected, instructed, and released to live elsewhere, on such conditions as are approved by the local health officer.

(b) Immune children: Same as adults. See definition of Immunity in

Section III.

(c) Children not known to be immune-

(1) May live in the quarantined premises, provided the patient is kept in

isolation within the quarantine; or

(2) May live in isolation in some other home where there is no case of any disease nor any children. After seven days in this isolation the child may be released and return to school, provided there are no clinical or laboratory evidences of any disease.

2. Release of persons living in the quarantine before the termination of the quarantine.—(a) The patient: Never without the written permission of the

State health commissioner.

(b) Adults: May be examined by clinical and laboratory methods and if found free of all symptoms and findings of the disease, they may be disinfected, instructed, and released to live elsewhere, on such conditions as are approved by the local health officer.

(c) Immune children. Same as adults. (See definition of Immunity in Sec-

tion III.)

(d) Children not known to be immune-

(1) May live in the quarantined premises, provided the patient is kept in

isolation within the quarantine; or

(2) May live in isolation in some other home where there is no case of any disease nor any children. After seven days in this isolation, the child may be released and return to school, provided there are no clinical or laboratory evidence of any disease.

MUMPS

What to do with the case:

1. Must be reported, as described in Section III.

Cases and suspected cases must be reported.

2. Must be placarded. Yes, with a warning card for 14 days after the development of pain and tenderness of the parotid gland and until the glands have returned to normal state.

3. Must be excluded from school. Yes, as described in Section III, for the

placarded period.

4. Must be quarantined. No, but isolation must be carried out as described in Section III during the placarded period.

5. Must practice concurrent disinfection. Yes, of the discharges from the nose and throat.

What to do with persons exposed:

1. Adults: Guard carefully against the patient's saliva.

Children known to be immune as defined in Section III. Same as adults. Do not exclude from school.

3. Children not known to be immune, living in the home of a case, shall be excluded from school for two weeks.

PARATYPHOID FEVER

Same as typhoid fever.

PLAGUE

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as described in Section III.

Discharges from the lesions shall be gathered on bits of cotton, paper, or cloth, and burned at once.

All objects soiled by these discharges shall be disinfected as described in Section III.

PNEUMONIA

What to do with the case:

1. Must be reported, as described in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection. Yes, of all discharges from the nose and throat. All articles soiled with these discharges shall be disinfected. as described in Section III.

POLIOM YELITIS

What to do with the case:

- 1. Must be reported, as provided in Section III. 2. Must be placarded, as provided in Section III.
- 3. Must be excluded from school, as provided in Section III.

4. Must be quarantined, as provided in Section III.

5. Must practice concurrent d sinfection, as provided in Section III.

The infectious agent is probably carried in the discharges from the nose and throat. All these discharges shall be gathered on bits of paper, cotton, or cloth, and burned at once.

All articles soiled with these discharges shall be disinfected as provided in

One outbreak has been definitely traced to milk contaminated with the excretions of an active case of the disease.

Termination of quarantine.—Quarantine for poliomyelitis shall not terminate until-

1. A minimum period of 14 days from the establishment has elapsed, and this 14-day period shall begin at the time of the establishment of the quarantine; and

The temperature of the patient has been normal for seven successive days; and

3. The attending physician has reported complete clinical recovery; and

4. The rules and regulations of the Michigan Department of Health have been carried out to the complete satisfaction of the local health officer.

5. If the case terminates with the death of the patient, paragraphs 1, 2, and 3 do not apply.

What to do with persons exposed:

1. Persons exposed by reason of living in the home before the establishment of quarantine.—(a) Adults: May be examined and if found free of all possible symptoms of the disease they may be disinfected, instructed, and released to live elsewhere, on such conditions as are approved by the local health officer.

(b) Immune children: See definition of immunity in Section III. Same as

adults.

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(c) Children not known to be immune—
(1) May live in the quarantined premises, provided the patient is kept in

isolation within the quarantine; or

(2) May live in isolation in some other home where there is no case of any disease nor any other children. After seven days in this isolation the child may be released and returned to school, provided there are no symptoms of the disease.

2. Persons exposed by reason of attending school with a case.—(a) These contacts shall be carefully examined each day for the following seven days for any of the signs or symptoms of this disease. This examination shall be made before the beginning of the school work for the day.

(b) Children showing any of the signs or symptoms that may be signs or symptoms of this disease shall be excluded from school for the day to allow

the development of the symptoms found.

(c) Children so excluded may only return to school after the disappearance of the symptoms noted or with the written statement of a physician that the child is not in a contagious state.

(d) Schools shall not be closed.

Adequate medical inspection of each pupil before the day's school work begins

is much more effective in preventing the spread of the disease.

3. Persons exposed by reason of contact in public.—All persons who know that they have been in contact with a case in public or in any other way should call their physician's attention at once to any (1) rise of body temperature,

(2) sore throat, (3) or indisposition of any sort, for a period of one week after such a contact. Wast of the with the begane

Ironhohia (Mad dog bites) (Hydrophobia) (Mad dog bites)

General considerations.—A change of disposition is the most constant symp. tom of rables in an animal. The dog that has been a friend and protector that suddenly changes disposition and bites a person must be considered rabid

until proven otherwise.

The proof of freedom from rabies infection is simple. Rabies is always fatal to animals as well as human beings. Once the symptoms of rables manifest themselves, there is but one outcome—death. This fatal result always occurs before the tenth day of the disease. Therefore, if an animal lives 10 days after biting a person, the animal did not have rables at the time of the biting. An animal can not disseminate a disease that it does not have.

What to do with the biting animal:

1. Don't kill the animal unless it is necessary to effect the capture. 2. Secure the animal in a comfortable place by a light chain or wire.

3. Treat the animal kindly, he is probably sick.

4. Give the animal plenty of food and drink and have the animal seen by a veterinarian or other competent diagnostician once each day.

5. Make sure that the animal does not escape. 6. Keep children and inquisitive adults away.

7. If the animal lives for 10 days, he was not rabid at the time of the biting and can be released.

If the animal must be killed to effect capture, or if he dies within the 10-day period:

1. Do not damage the head in any way.

Cut off the whole head and put in a tin pail with a tight cover.

3. Place this pail in the center of a wooden candy pail or box of similar size and pack with three-quarters sawdust and one-quarter ice, and ship by express

4. Ship to "Pasteur Institute, Ann Arbor, Mich."
5. Mark the container with your address and send a letter giving full particulars.

Important!

For a dog to bite a person or another dog is an unusual act and is usually the result of something abnormal. If it is a person who is bitten, the chance of infection is too great and the fatality is too high (100 per cent) to take any chance on the needless sacrifice of human life.

For these reasons it is the policy of the Michigan Department of Health to consider that every dog in this State that bites a person is rabid until clinical or laboratory evidence is available that proves that the animal was not rabid.

Bites on the face or hands are especially dangerous, and the Pasteur treatment should be started as soon as possible after the biting. If the biting animal evades capture or can not be identified, start Pasteur treatment at once. Pasteur treatment may be obtained from the Pasteur Institute, Ann Arbor,

What to do with the case:

1. Must be reported, as described in Section III.

What to do with persons exposed:

1. All persons shall be considered to be exposed to rables who (a) have been bitten by a rabid animal; or (b) have come in contact in any way with the saliva of a rabid animal.

2. The person exposed to rabies shall be taken at once to a physician to have the wounds thoroughly cauterized.

Effective cauterization of such wounds can only be accomplished by the use of fuming nitric acid or full-strength formaldehyde. COLUMN COLUMN

3. The next step is to begin Pasteur treatment at once.

What to do in rabies outbreaks .- What to do with unlicensed dogs:

All unlicensed dogs should be captured at once and disposed of according to law. (This is the first and most important step in the program of the eradication of rabies. This is the responsibility of the police or sheriff's office-not the health department.)
... What to do with licensed dogs:

1. Where are dogs to be quarantined?

All licensed dogs should be quarantined on the premises of the owner.

2. How and when can a licensed dog leave this quarantine?

A licensed dog can only leave the hereinbefore mentioned quarantine when securely attached to a leash in charge of the adult owner of the dog.

3. How long must dogs be so quarantined?

This quarantine shall be continued for a minimum period of six months from this date and as much longer as the local board of health may require.

4. How may dogs be released from quarantine?

The local health officer is hereby authorized to release from the hereinbefore-mentioned quarantine all dogs two weeks after they have been given the canine antirabic virus, when such fact is certified to by the veterinarian administering the virus and a tag attesting to this fact is securely attached to the collar of the dog in the same manner as prescribed by law for the license tag.

5. What permanent measures can be taken to prevent future outbreaks? Boards of supervisors are advised that the license fee for dogs should be made the maximum provided by law and canine antirabic virus administered free at

the time of license.

6. Enforcement of such an order. It is a misdemeanor to violate such an order when passed by the local board of health.

ROCKY MOUNTAIN FEVER

(Spotted fever, tick fever, etc.)

What to do with the case:

1. Must be reported, as described in Section III.

On receiving the report of a case of this disease the Michigan Department of Health will send a representative from the bureau of epidemiology to make an investigation who will give written and personal instructions regarding the administrative control.

SCARLET FEVER

(Scarlatina, scarlet rash, etc.)

What to do with the case:

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1. Must be reported, as provided in Section III. 2. Must be placarded, as provided in Section III.

3. Must be excluded from school, as provided in Section III.

4. Must be quarantined, as provided in Section III.
5. Must practice concurrent disinfection, as provided in Section III.

The infectious agent leaves the patient with the discharges from the nose and

All these discharges shall be gathered on bits of paper, cotton, or cloth and burned at once. Care shall be used to control the droplets spread by coughing, sneezing, or spitting.

All articles soiled with these discharges shall be disinfected as described in Section III.

The spread of infected saliva on the fingers of the patient and the attendants, shall be controlled by repeated washing of the hands,

Termination of quarantine.—Quarantine for this disease shall not terminate

1. A minimum period of 28 days shall have elapsed. This 28-day period shall begin at the time of the establishment of the quarantine.

There is complete cessation of all abnormal discharges from the nose, ears, or broken down glands; and

3. The attending physician reports complete clinical recovery; and

4. The rules and regulations of the Michigan Department of Health have been carried out to the complete satisfaction of the local health officer.

5. If the case terminates in the death of the patient, paragraphs 1, 2, and 3

What to do with persons exposed:

1. Persons exposed to this disease by reason of living in the home before the establishment of the quarantine.—(a) Adults: May be examined and if found to be free from all signs and symptoms of the disease, they may be instructed, disinfected, and released to live elsewhere on such conditions as are approved by the local health officer.

(b) Immune children: See definition of immunity in Section III. Same as

(c) Children not known to be immune:(1) May live in the quarantined premises, provided the patient is kept in isolation within the quarantine; or

(2) May live in isolation in another home where there is no case of any disease nor any other children.

After seven days in this isolation the child may be released, provided there

are no symptoms of the disease.

2. Persons exposed by reason of attending school with a case.—Whenever a pupil has attended a school while in an infectious state of this disease, it shall be considered that all other children in the school room or small school have

(a) All these contacts shall be carefully examined each day for the following seven days, for any of the signs and symptoms of this disease. This examination shall be made before the beginning of the school work for the day.

(b) Children showing any signs and symptoms of this disease shall be excluded from school for the day to allow the development of the symptoms found.

(c) Children with symptoms, may only return to school after the disappearance of the symptoms or with the written statement of a physician that the child is not in a contagious condition.

(d) When these signs and symptoms are sufficient to establish a diagnosis the report of the case shall be made to the local health officer and the required

administrative control measures applied. (e) Schools shall not be closed.

3. Persons exposed by reason of contact in public.—All persons who know that they have been in contact with a case of this disease in public or in any other way should call their physician's attention to (1) any rise of body temperature, (2) any sore throat, or (3) any indisposition of any sort for a period of one week after such a contact.

Release of persons before the termination of quarantine.—1. The patient:

Never, without the written consent of the State health commissioner.

Adults: May be instructed, disinfected, and released to live elsewhere under such conditions as are approved by the local health officer.
 Immune children: Same as adults. See definition of immunity, Section III.

4. Children not known to be immune may be released, only to live in isolation in another home where there is no case of any disease nor any children.

After seven days in this isolation, the child may be released and return to

school, provided there is no evidence of any disease.

General measures.-The use of scarlet fever streptococcic antitoxin is indicated in all severe cases.

Scarlet fever streptococcic toxin in adequate dosage will develop immunity in susceptible persons.

The Dick test properly administered will identify the susceptibles from the immunes.

SEPTIC SORE THROAT

What to do with the case:

1. Must be reported, as provided in Section III.

2. Must be placarded. No.

3. Must be excluded from school. Yes; until streptococcus hemolyticus is no longer found in the throat.

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4. Must be quarantined. No.

5. Must perform concurrent disinfection, as provided in Section III.

The infectious agent leaves the patient with the discharges from the nose and throat. All these discharges shall be gathered on bits of paper, cotton, or cloth and burned at once. Care shall be used to control the droplets, spread by coughing, sneezing, or spitting. All articles soiled with these discharges shall be disinfected as described in Section III.

The spread of infected saliva on the fingers of the patient and the attendants

shall be controlled by repeated washing of the hands.

General measures.—This infectious agent grows luxuriantly in milk and easily infects the milk ducts of dairy cattle. Cases or persons living in the home of a case must use great care to avoid contaminating milk supplies or infecting dairy animals.

SMALLPOX

What to do with the case:

1. Must be reported as provided in Section III. 2. Must be placarded as provided in Section III.

3. Must be excluded from school as provided in Section III.

4. Must be quarant ned as provided in Section III.

5. Must practice concurrent disinfection, as provided in Section III.

The infect ous agent leaves the patient with the serum from the lesions. The hands coming in contact, as they do with so many things, are a potent factor in spreading contamination to the many objects they touch. This infectious agent lives for long periods of time outside the human body and appears to have considerable resistance to the natural disinfecting agents. Burning is the best disinfecting agency for such resistant infectious agents. All articles of value shall be disinfected as provided in Section III.

Termination of quarantine.—Quarantine for smallpox shall not be terminated

until:

1. A minimum period of 10 days has elapsed; and

2. There is complete return of continuity of the skin over all the lesions; and

3. The attending phys cian reports complete clinical recovery; and

4. The rules and regulations of the Michigan Department of Health have been carried out to the complete satisfaction of the local health officer.

5. If the case should terminate by death of the patient, paragraphs 1, 2, and

3 do not apply.

What to do with persons exposed:

1. All persons who are declared by the local health officer to have been exposed to smallpox, shall, as a result of such exposure, be quarantined for a period of 17 days from the last possible exposure, unless

(a) They have been successfully vaccinated within the past five years, and evidence of such successful vaccination is acceptable to the local health

officer; or

(b) They are vaccinated or revaccinated immediately upon notification of

2. All persons not known to be immune who are exposed by reason of living

in the quarantine with a case may be released from the quarantine-

(a) Twelve days after a successful vaccination; or

(b) If not vaccinated will be held in isolation 17 days after the termination

of the quarantine.

3. Persons exposed at school: When a case of smallpox has attended a school, while in any stage of the disease, all the children attending the school and the teachers shall be considered as having been exposed to the case.

(a) All such children, teachers, and other employees shall be vaccinated or revaccinated at once, provided they have not been successfully vaccinated within the previous 5-year period and evidence of such vaccination is acceptable to the local health officer.

(b) All children, teachers, or other employees not complying with the above paragraph shall be excluded from school for 17 days from the last possible

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General measures.—Inasmuch as the history of cases and epidemics of smallpox show conclusively that vaccination is the one method that does prevent outbreaks, t is, therefore, the sheet anchor in the prevention of this d'sease.

Inasmuch as the technique of vaccination and the proper interpretation of the results of the vaccination are important in this work, some general directions relat ve to technique and interpretation of results are given below.

Recognizing that many different techniques have been used with success and that the one that obtains the best results is always the best, the following is given as one method that has given good results:

1. Technique.—(a) Choice of location: Jenner advised the tip of the deltoid

on the arm least used and no better location has ever been recommended.

(b) Disinfection: Disinfect the site of the operation with soap and water unless the arm is exceptionally dirty, then use gasoline. Wipe area dry with sterile cotton and be sure the skin is thoroughly dry before applying the virus.

 (c) Apply the virus as a single drop.
 (d) Inoculation: Many methods of inoculation have been used, all with greater or less success. One good method is to make one or two superficial abrasions one-quarter inch long and one-quarter inch apart, deep enough to draw

serum but not deep enough to draw blood. These abrasions should be made with a sterile needle through the drop of virus on the site of inoculation. By traction on the skin on either side, the scratches can be made to gape. With the shaft of the needle the virus should be gently worked into the scratches, which can be easily accomplished if the scratches have been made in such a manner that blood is not drawn.

(e) Drying: After inoculation as described above, allow the virus to dry

thoroughly before it is touched with anything.

(f) Dressing: No dressing is needed except a small bit of sterile gauze

about 1 inch square held in place by long, narrow adhesive tapes.

(g) Attention: Such vaccination and dressing should be left alone until the dressing comes off of itself. This dressing can be replaced, if found neces-

sary, by the physician or nurse in attendance.

2. Interpretation of results .- (a) Primary reactions (primary takes or successful takes): This occurs in persons who have never been vaccinated and who have never had smallpox and in those who have been previously vaccinated so far in the past that all protection has been lost. It may occur five or more years after a previous primary reaction or successful take. It goes through all stages of macule, papule, vesicle, and pustule. It is surrounded by an areola of redness and induration. It reaches the height of its development on about the twelfth day and the resulting crust falls off in two or three weeks. The significance of this reaction is that the individual was formerly susceptible to smallpox and after the twelfth day from the inoculation is immune. This immunity will last for at least five years and in many individuals throughout their entire life. In general, the younger the person

at the time of the immunization the longer the immunity.

(b) Immediate reactions: This type of reaction occurs in persons who have had smallpox or who have had a primary reaction at a comparatively recent time, always less than five years. The reaction to the abrasions and the virus is merely that of a red areola one-quarter inch to one-third inch in width on each side and is the full length of the abrasions. This reaction usually begins in the first 24 hours, reaches its height on the third day, and then begins to fade away. There is no papule, no vesicle, nor any pustule, and the redness about the abrasions must be considerably more than that which occurs due to the mechanical trauma caused by the abrasions. This reaction is best seen on the third day. This is sufficient reason for examining all vaccinations on the third day after they are done. This reaction is not a "failure" nor a "no take" but indicates the highest degree of immunity. Some health officers are accepting this immediate reaction as evidence of immunity, disregarding vaccination certificates, etc., which are frequently lost in the interval between the time they are issued and the time they are needed. This reaction in reality is a test for immunity in the same sense that the Schick test is a test for immunity to diphtheria and the Dick test for immunity to scarlet fever.

(c) Accelerated reactions: This type of reaction occurs in individuals who have previously been vaccinated at a time sufficiently remote so that some part of their immunity has been lost. These individuals are retaining some immunity from a previous vaccination but probably not enough to render them immune to the strain of virus prevalent in epidemics. This reaction may and does vary from the above description of a primary reaction, as the most vigorous, to the above description of the immediate reaction, as the most mild. It may and does vary between these two extremes just as the individual's immunity varies between these two extremes. The red areola of the immediate reaction begins to show the first or second day and the height of the reaction is reached on the sixth day. The lesion is macular and papular and almost always becomes vesicular. It does not become a pustule, for if it did it would be a primary reaction. This lesion usually disappears rapidly after the sixth day and the resulting scar is much smaller than that of a primary reaction. This reaction signifies that an individual has been immunized at some previous time but has lost his immunity because of the time elapsing since his previous take. This reaction rebuilds the immunity so that the individual is again immune to

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(d) No take: This reaction has no significance at all. It neither signifies immunity nor susceptibility. There is no redness about the abrasions except the redness due to the mechanical trauma of making them. This reaction may be due to one or more of the following errors in technique:

(1) If a chemical is used to disinfect the site of inoculation that is not thoroughly removed, the virus may be destroyed by it.

(2) The scratches may not have been sufficiently deep to get the virus through to the true skin.

(3) The scratches may have been so deep that blood was drawn and the virus

washed away by the oozing of the blood.

(4) Sufficient time for the drying of the virus may not have been allowed before the application of the gauze. Dry gauze will absorb the virus by capillary action.

(5) The virus may have been removed or destroyed intentionally by the

patient after leaving the physician's office.

HOW THE	1—Primary	2—Accelerated	3—Immediate	4-No take
3d day 6th day	No redness. Redness begins papule forming.	Redness beginning. Height of redness.	Height of redness. Redness fading.	The redness of mechanical
9th day 12th day Lesion	Vesicle forming. Pustule forming. Pustule.	Height of vesicle. No pustule. Vesicle.	No vesicle. No pustule. Macule.	trauma only. Scratch.
Result Significance	Typical pitted scar. Was susceptible.	Small scar. Was slightly susceptible.	No scar. Was not susceptible.	Nothing. No signifi- cance.
HIMETHERINE	Now immune.	Now immune.	Was immune.	

SYPHILIS

(Lues, big pox, etc.)

What to do with the case:

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1. Must be reported, as required in Section III.

2. Must be placarded. Yes; if not under treatment, or not following the advice of the attending physician.

3. Must be excluded from school. Yes; if endangering the health of others. 4. Must be quarantined. Yes; if not under treatment or not following the

advice of the attending physician. 5. Must practice concurrent disinfection, as provided in Section III.

Present policy of Michigan Department of Health regarding venereal diseases.-1. All cases of these diseases in an infectious state, together with all possible sources of the infection, shall be reported immediately, directly to the Michigan Department of Health. For the purposes of complying with these rules and regulations the following persons shall be deemed to be in an infectious state: (1) Syphilis—a, primary stage; b, secondary stage; c, tertiary stage where open lesions exist. (2) Gonorrhea in all stages. (3) Chancroid in all stages.

Blanks for this purpose have been prepared by the Michigan Department of Health and will be furnished to physicians on request. The reports are required by law to be made by all physicians or health officers, whenever they

have knowledge of a case. (Act 272, P. A. 1919.)

2. All suspected cases of these diseases may be examined by a medical inspector of the Michigan Department of Health or other duly authorized representative. Local boards of health are hereby authorized to appoint a licensed physician to make such examination for the protection of the public health within their jurisdiction.

Persons known or reasonably suspected of being a common prostitute or an inmate of a house of ill fame, or any man consorting with them, shall be deemed a suspected case. Any person, reasonably suspected by the local health officer of being infected with any of these diseases, who refuses to be examined by the licensed physician appointed for this purpose, shall be deemed to be infected and the local health officer is authorized and justified to pro-

tect the public by the isolation or quarantine of such a person.

3. Placarding, isolation, or quarantine will not be used in the administrative control of these diseases in any case where the public health can be protected without these measures. These methods will be used when necessary to (1) insure the public against infection, (2) insure that the patient receives adequate treatment, and (3) insure compensation for such treatment. (Act 22, P. A. 1919.)

Summary.—1. All cases of these diseases shall be under treatment and following the advice of a duly licensed physician.

2. Cases able to pay for adequate treatment shall be under treatment at their own expense.

3. Cases unable to pay for adequate treatment of syphilis, gonorrhea, or

chancroid will be treated at public expense and the bills will be paid, as provided for any other indigent. (Act 267, P. A. 1915.)

Arrangements shall be made with the board of supervisors authorizing the expense of the care of these indigents. Where such an arrangement can not be satisfactorily concluded, cases in an infectious state shall be quarantined and payment collected, as provided for any other quarantine. (Act 22, P. A.

1919.) Special facilities available for those who are unable to provide proper care and treatment.—1. The judge of probate of each county can commit the following persons who are unable to provide proper care and treatment and whose physical condition is such that they need hospital care to the University Hospital at Ann Arbor or the Fairmount Hospital at Kalamazoo, which have been established as additional facilities for certain classes of cases:

(a) Syphilis in an infectious state. University hospital, Ann Arbor. (Adults—Act 267, P. A. 1915.) (Juveniles—Act 274, P. A. 1913.)
(b) Chancroid in an infectious state. University hospital, Ann Arbor. (Adults—Act 267, P. A. 1915.) (Juveniles—Act 274, P. A. 1913.)

(c) Gonorrhea of women seven months pregnant: University hospital, Ann Arbor. (Adults—Act 267, P. A. 1915.) (Juveniles—Act 274, P. A. 1913.)

(d) Gonorrhea of women not seven months pregnant.

Less than 21 years of age—Fairmount Hospital, Kalamazoo. (Act 274. P. A. 1913.) More than 21 years of age: No provision.

(e) Gonorrhea of men. No provision.

TETANUS

(Lockjaw)

What to do with the case:

1. Must be reported, as provided in Section III.

General measures.-Tetanus antitoxin should be administered to all persons with such wounds as produce conditions suitable for the growth of the tetanus bacillus on the human body.

Gunshot wounds, powder burns, and deep perforating wounds are especially likely to be infected with the tetanus bacillus.

TUBERCULOSIS

What to do with the case:

1. Must be reported, as provided in Section III.

2. Must be placarded. No.

3. Must be excluded from school. No, unless tubercle bacilli are present in the sputum or other discharges and the case is endangering the health of the school children.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as provided in Section II.

The infectious agent leaves the patient with the discharges from the nose and throat. All these discharges shall be collected on bits of cotton, paper or cloth and burned at once. Care shall be used on the control of droplets, spread by coughing, sneezing and spitting.

The spread of infection by the fingers of the patient and the attendants shall

be controlled by repeated washing of the hands.

All articles soiled with these discharges shall be disinfected as described in

General measures.—The care of persons unable to pay: Act No. 314 of the Public Acts of 1927 provides "for the care, treatment, and hospitalization of persons afflicted" with tuberculosis. To follow out the procedure as outlined in the law, the following steps shall be taken:

1. All cases of tuberculosis shall be reported by the physician to the local

health officer.

2. The law provides that "it shall be the duty of the health officer immediately upon being apprised of such case (indigent case) to extend aid and assistance to such afflicted person and to promptly furnish such care, treatment, and hospitalization as such person may require.'

The questions involved are:

(a) Would this patient be benefited by hospital care?(b) Would the public in general and this family in particular be benefited by the hospitalization of this case?

(c) Are there children under 16 years of age living in this household whose

health would be protected by the hospitalization of this case?

3. Compulsory hospitalization for persons afflicted with tuberculosis is not provided for in this or any other law. In carrying out the provisions of this law the local health officer should always, (1) obtain the consent of the patient or parent, and (2) have an understanding with the county board of supervisors regarding his procedure under this law.

4. When there are vacant beds, those patients can be sent to the Michigan Tuberculosis Sanatorium at Howell, or to any county tuberculosis sanatorium

where arrangements have been made.

5. All tuberculosis cases hospitalized at public expense must be cared for in an institution accredited for such care by the Michigan Department of Health. Whenever the immediate family of an advanced case of tuberculosis is endangered by the further home care of the patient, such advanced case may, after inspection by and upon the recommendation of the local health officer, be hospitalized in a general hospital under section 13 of Act 177, Public Acts of 1925, in counties where there is no county tuberculosis sanatorium.

6. The Michigan Department of Health will approve the payment to each

approved county sanatorium of \$1 for each day it cares for an indigent case of

tuberculosis from its own or any other county.

7. The intent of Act 314, Public Acts of 1927, is to furnish hospital care for each case of tuberculosis requiring it.

8. Local health officers should confer with the probate judge and the members of the board of supervisors concerning the cases to whom this new law would furnish adequate care.

9. Under this new law the question of the residence is not involved for each

patient is to be taken care of where found.

10. The employment of tuberculous persons as food handlers, barbers, schoolteachers, school employees, nursemaids, etc., or in other occupations endangering the health of others is hereby specifically forbidden.

11. \$3 to \$3.50 per day has been found by experience to be the minimum fee for which adequate care for a tuberculosis case can be furnished.

TRACHOMA

(Contagious granular eyelids, granular conjunctivitis)

What to do with the case:

1. Must be reported, as provided in Section III.

2. Must be placarded. No.

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3. Must be excluded from school. Yes, until deemed noncontagious by the attending physician.

 Must be quarantined. No.
 Must practice concurrent disinfection. Yes, the discharges from the lesions shall be collected on bits of paper, cotton, or cloth, and burned at once.

General measures.-1. The attending physician will give full instructions

regarding the seriousness of and the means of spread.

2. The importance of the infected individual using separate towel, sleeping alone, and avoiding all other contact that would transfer infectious material to a well person, should be stressed by all physicians and all health officers.

TRICHINOSIS

What to do with the case:

1. Must be reported, as provided in Section III.

Whenever a case of this disease occurs in this State, the fact shall be reported as provided by law, and the bureau of epidemiology of the Michigan Department of Health will then make an intensive investigation of all the facts relating to it.

TULAREMIA and not of drained section of the section

(Deer fly fever)

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1. Must be reported as provided in Section III. Whenever a case of this disease occurs in this State, the fact shall be reported as provided by law, and the bureau of epidemiology of the Michigan Department of Health will then make an intensive investigation of all the facts relating to it.

What to do with the case:

1. Must be reported, as provided in Section III.

2. Must be placarded. No.

2. Must be placarded. No. 3. Must be excluded from school. No.

4. Must be quarantined. No.

5. Must practice concurrent disinfection, as provided in Sect on III.

The infectious agent leaves the patient with the discharges from the bladder and the bowels. All these discharges shall be carefully collected and disinfected, as described in Sect on III. All articles soiled with the discharges shall be disinfected as described in Section III.

The spread of these infectious discharges by means of the fingers of the patient or the attendants shall be controlled by repeated washing of the hands.

What to do with persons exposed:

All persons living in the home where there is a case of typhoid fever shall be immunized with adequate doses of typhoid vaccine.

What to do with the carriers:

1. Carriers shall not be allowed to handle any foodstuffs to be used in public consumption which are liable to be consumed raw; nor res de where the same are handled for public consumption; nor handle any dishes which are

to be used in the preparation of foods to be used for public consumption.

2. Carriers engaged in business other than descr bed above shall agree to keep their hands scrupulously clean by washing them frequently with soap and water and they shall especially wash them very carefully with soap and

water after each visit to the toilet.

3. All carriers shall agree to notify the Michigan Department of Health at Lans ng, Mich., and also the local health officer of the place where they reside,

of any change of residence, at least five days before such change.

General measures.—1. Before a case of typhoid fever is discharged, the stools shall have been examined in a laboratory registered with the Michigan Department of Health and on two separate specimens, taken one week apart, typhoid bacilli shall have not been found.

2. It is hazardous for a person recently recovered from typhoid to handle or prepare food for others. This is forbidden until repeated laboratory exami-

nations show that such occupation is safe for the public.

3. Milk or other dairy products shall not be removed from a farm where a case of typhoid fever exists without the written consent of the State health commissioner, granted upon the recommendation of the local health officer.

TYPHUS FEVER

What to do with the case:

1. Must be reported as provided in Section III.

Whenever a case of this disease occurs in this State, the fact shall be reported as provided by law, and the bureau of epidemiology of the Michigan Department of Health will then make an intensive investigation of all the facts relating to it.

VINCENT'S ANGINA

What to do with the case:

- what to do with the case:

 1. Must be reported as provided in Section III.

 2. Must be placered No.
- 2. Must be placarded. No.

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- 3. Must be excluded from school. Yes. Readmitted only on physician's certificate of noninfectiousness.
 - 4. Must be quarantined. No.
 - 5. Must practice concurrent disinfection. Yes, as provided in Section III.
- The infectious agent leaves the patient on the discharges from the nose and throat.
- All these discharges shall be collected on bits of paper, cotton, or cloth and burned at once.
- Care shall be used to control the droplets spread by coughing, sneezing, or spitting.
- All articles soiled with these discharges shall be disinfected as described in Section III.
- The spread of infected saliva by the fingers of the patient and the attendant shall be controlled by the repeated washing of the hands.

WHOOPING COUGH

(Pertussis)

What to do with the case:

- 1. Must be reported, as provided in Section III. Cases and suspected cases must be reported.
- 2. Must be placarded with a warning card, as provided in Section III. Yes, for 21 days after the onset of the characteristic whoop.
- 3. Must be excluded from school, as provided in Section III, for the placarded period.
- 4. Must be quarantined. No, but isolation must be carried out as provided in Section III, during the placarded period.
- 5. Must practice concurrent dis.nfection. Yes, of all discharges from the nose and throat.
- The infectious agent leaves the patient on the discharges from the nose and throat.
- All these discharges shall be collected on bits of cotton, paper, or cloth and burned at once.
- All articles soiled with these discharges shall be disinfected as described in Section III.
- Care shall be used to control the droplets spread by coughing, sneezing, or spitting.
- The spread of infected saliva by the fingers of the patient and the attendants shall be controlled by the repeated washing of the hands.
 - What to do with persons exposed:
 - 1. Persons exposed by reason of living in the home of a case.
 - (a) Adults. No restrictions.
- (b) Immune children. Same as adults.
 (c) Children not known to be immune, living in the home of a case, as described in Section III, shall be excluded from school for the same period as the
 - 2. Persons exposed at school: No restrictions.

YELLOW FEVER

What to do with the case:

ts

1. Must be reported, as provided in Section III.

Whenever a case of this disease occurs in this State, the fact shall be reported as provided by law and the bureau of epidemiology of the Michigan Department of Health will then make an intensive investigation of all the facts relating to it.

Tuberculosis—Reports of Cases—Regulations by State Health Commissioner Authorized—Care, Treatment, or Hospitalization of Cases. (No. 314, Act June 1, 1927)

SECTION 1. Tuberculosis is hereby declared to be a communicable disease dangerous to the public health. Every practicing physician is required to notify in writing the health officer of the city, village, township, county, or district in which the case occurs of every case of tuberculosis which comes under his professional observation. The notice shall be made upon blanks to be furnished by the State commissioner of health and shall include such information as may be required by the said State commissioner of health. The notice herein provided for shall be given within 24 hours from the time the physician determines

that the patient is afflicted with tuberculosis.

SEC. 2. The State health commissioner is hereby authorized to make such rules and regulations as he shall deem proper for the discovery and control of persons afflicted with tuberculosis, and to establish rules of procedure for the guidance of health officers and others in the control and hospitalization of tuberculosis cases. Nothing in this act shall be construed or operate to empower or authorize the State commissioner of health, or any health officer, or their representatives, to restrict in any manner the individual's right to select the physician or mode of treatment of his choice: Provided, That sanitary laws and the laws, rules, and regulations relating to infectious and contagious diseases

are complied with.

SEC. 3. If it shall be determined by the health officer of the city, village, township, county, or district, in case a health district shall be formed, that there is any person afflicted with tuberculosis residing within such city, village, township, or district who requires care, treatment, or hospitalization, and who can not because of financial inability pay, for such care, treatment, or hospitalization, it shall be the duty of such health officer to provide such care, treatment, or hospitalization as such person requires, in accordance with the rules and regulation made by the State commissioner of health. Nothing herein contained shall be construed to abridge the authority of the health officer in furnishing care, treatment, or hospitalizaiton to such person, pending his determination of the financial ability of such person so afflicted, but it shall be the duty of such health officer, immediately upon being appraised [sic] of any case reported to him, to extend aid and assistance to such afflicted person, and to promptly furnish such care, treatment, or hospitalization as such person may require. Upon the determination of the health officer that such person is unable financially to pay for the care, treatment, or hospitalization so furnished, it shall be the duty of the health officer to make a detailed report to the board of supervisors of the county wherein such health officer resides, health officer shall present to the board of supervisors of such county an itemized statement of the expense incurred in the care, treatment, or hospitalization of such person with his approval of the reasonableness of such charges. The county shall be chargeable with such charges as the board of supervisors decides are reasonable unless the board of supervisors finds that such person is financially able to pay for such care, treatment, or hospitalization.

Sec. 4. The cost of all printed matter required by this act to be furnished

SEC. 4. The cost of all printed matter required by this act to be furnished by the State commissioner of health shall be paid by the auditor general out of the general fund of the State treasury, on presentation of vouchers approved

by the State commissioner of health.

SEC. 5. Any person who violates any of the provisions of this act or the rules and regulations of the State commissioner of health shall be deemed guilty of a misdemeanor and upon conviction shall pay a fine not exceeding \$100 dollars.

SEC. 6. Act No. 27 of the public acts of 1909, as amended, and any other acts or parts of acts in conflict herewith are hereby repealed.

Venereal Diseases—Repeal of Certain Sections of Law Relating to. (No. 180, Act May 14, 1927)

[This act repeals sections 3 and 5 (as amended by Act 42, laws, 1921) of Act 272, laws, 1919.]

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Live Pathogenic Germs—Registration of Laboratories and Other Places Where Handled or Cultivated—Sale, Distribution, and Transportation. (No. 308, Act June 1, 1927)

SECTION 1. All laboratories and other places where live pathogenic germs are handled or cultivated shall be registered with the Michigan Department of Health, and a registration number shall be issued to each place registered. Registration and application for this registration number shall be made by the person, firm, or corporation in charge of the laboratory or other place where

Supplement 45 to Public Health Reports, p. 237.
 Supplement 42 to Public Health Reports, p. 349.

such germs are handled. The registration number shall be valid for one year,

at the expiration of which time it may be renewed upon application.

SEC. 2. All live pathogenic germs or cultures of such germs when given away or sold by a laboratory or other person shall bear a label on the container showing the registration number of the laboratory or other person, the name of the person or firm obtaining same, and the destination of the germs, and no person or laboratory shall sell or convey any live germs or culture to any other person or laboratory without the permission of the State commissioner of health. Such person or laboratory shall also keep a record of every sale, gift, or other distribution of live germs, giving the name and residence of the recipient or purchaser, which record shall at all times be open to examination by any person or authority, and a copy of which record shall be filed with the department of health.

SEC. 3. Any violation of this act shall be deemed a misdemeanor punishable

by a fine of \$200 or six months' imprisonment, or both.

Antitoxin and Other Biologic Products—Manufacture and Distribution by State Commissioner of Health. (No. 105, Act May 3, 1927)

Section 1. It shall be the duty of the State commissioner of health to manufacture and distribute throughout the State antitoxin and other biological products for use in the control of communicable diseases. Said commissioner is hereby authorized to adopt rules and regulations governing such distribution. Subject to the rules and regulations so prescribed, health officers and health boards of the various counties, cities, villages, and townships of the State may from time to time make requisition on the State commissioner of health for such antitoxin and other products, which requisitions shall, if deemed reasonable and necessary, be honored in the order in which the same are presented to said commissioner.

SEC. 2. The commissioner may purchase such number of animals as may be required, and may employ necessary labor and purchase supplies requisite for

the manufacture and distribution of such products. SEC. 3. Act 370, public acts, 1921, is hereby repealed.

Drivers of Motor Vehicles Used for Conveyance of Passengers for Hire— Physical Examination Required of. (No. 309, Act June 1, 1927)

Section 1. It shall hereafter be unlawful for the driver of any motor vehicle used for the conveyance of passengers for h.re, upon any of the public highways of this State, to operate the same within this State, unless such driver shall be the holder of a certificate issued by the State comm.ssioner of health entitling the holder thereof to drive such motor vehicle as hereinafter provided.

SEC. 2. Every person desiring to drive a motor vehicle used for the conveyance of passengers for here upon the public highways of this State shall make application to the State commissioner of health for a certificate, which shall certify that such applicant has complied with all of the provisions of this act and has satisfactorily passed a physical examination as prescribed in section 4 hereof.

SEC. 3. It shall be the duty of the commissioner of health to designate any necessary number of registered and qualified physicians or doctors in each county of this State for the purpose of examining applicants for such certificate: Provided, That the fee for each examination shall not exceed the sum of \$3.

SEC. 4. The report of all such examinations shall be signed by the physician

SEC. 4. The report of all such examinations shall be signed by the physician or doctor mak ng the same and shall be made upon blanks to be furnished such examining physician or doctor by the State commissioner of health. No certificate shall be issued to any applicant therefor whose vision shall be less than 50 per cent normal in each eye, whose hearing shall be less than 75 per cent normal, and unless such applicant shall be free from clinical and laboratory signs or tests of syphilis and any other disease of the nervous system and shall be free from any communicable disease dangerous to the public health.

Sec. 5. The report of such examination shall be immediately forwarded to the office of the State commissioner of health; and if it appears therefrom that such applicant possesses satisfactory vision and hear ng and is free from

^a Supplement 45 to Public Health Reports, p. 238.

disease as provided in section 4 of this act, the commissioner of health shall forthwith issue to such applicant a certificate which shall entitle the person whose name it bears to drive a motor vehicle for the purpose of conveying passengers for hire upon the highways of this State for a period not exceeding two years. A record of the persons to whom certificates have been issued together with a copy of a report of the examiner shall be filed with the board of health.

SEC. 6. No person required to procure a certificate from the commissioner of health under the provisions hereof shall be issued a chauffeur's 1.cense by the secretary of state under the provisions of section 24 of Act No. 302 of the public acts of 1915, unless the application for such chauffeur's license shall be accompanied by a certified copy of the certificate issued by the commissioner of health.

SEC. 7. Any person violating the provisions of this act shall be punished by imprisonment in the county jail not more than 60 days or by a fine of not to exceed \$100, or by both such fine and imprisonment in the discretion of the court.

County Health Departments—Establishment Authorized—Organization, Powers, and Duties—Appointment and Removal of Health Officer. District Health Departments—Establishment Authorized—Organization, Powers, and Duties—Appointment of Health Officer—Claims Against. (No. 306, Act June 1, 1927)

Section 1. The board of supervisors of any county in the State may provide for a county health department to be paid for out of the general funds of the county

Sec. 2. The plan of organization shall be approved by the State health commissioner.

SEC 3. The health officer shall be selected by the board of supervisors.

Sec. 4. A health officer may be removed for incompetance or misfeasance of office by the board of supervisors, or by the State health commissioner, after due hearing.

SEC. 5. The county health department shall have jurisdiction throughout the county, except in cities having an organized health department with full time health officer, except that such cities may elect to join with the county in the organization.

Sec. 6. The county health department shall have the administration of all health laws and the control of communicable diseases under the advice and direction of the State department of health.

SEC. 7. Two or more counties may, by a majority vote of the board of supervisors of each county and the approval of the State health commissioner, unite to form a district maintaining a district health department. The district board of health shall be composed of representatives of the boards of supervisors. Each board shall elect three of their members as their representatives, except that with the consent of the other boards in their district any board may have a greater or lesser number of representatives. The members of the district board shall meet as soon as possible after their selection and organize, electing such officers as they deem fit. The district board shall select the district health officer and with the State health commissioner shall exercise the same powers of control over him and in respect to the district health department as the board of supervisors has over the county health officer and in

reference to the county health department.

SEC. 8. All claims against the district health department shall be audited by the district health board, which shall have the same power to allow these claims that a board of supervisors has in respect to claims against a county. There shall be the same right of appeal from their decision in respect to a claim as exists from a similar decision of a county board of supervisors. The total amount of the allowed claims shall then be apportioned among the counties of the district on the basis of tax valuation and vouchers issued therefor by the officers of the respective counties, for such amounts as shall be the share of that county.

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Sec. 9. No. 130 of the public acts of 1917 and all other acts or parts of acts in conflict herewith are hereby repealed.

Supplement 37 to Public Health Reports, p. 229.

Sausage—When Deemed Adulterated—Sale—Labeling—Standards. (No. 91, Act April 30, 1927)

[This act amends section 3 of Act 151, Laws, 1913, to read as follows:]

SECTION 3. For the purpose of this act, sausage shall be deemed to be adulterated:

First. If it contains added water in excess of the quantity required to bring the amount up to that which the meats from which it is prepared contain immediately after slaughter.

Second. If it contains any cereal or vegetable flour.

Third. If it contains any artificial color, coal-tar dye, boric acid or borates, sulphites, sulphur dioxide, sulphurous acid, or any other substances injurious

or deleterious to health.

Fourth. If it contains any diseased, contaminated, filthy, or decomposed substance; or is manufactured, in whole or in part, from a d seased, contaminated, filthy, or decomposed substance, or a substance produced, stored, transported, or kept in a way or manner that would render the article diseased, contaminated, or unwholesome; or if it is any product of a diseased animal, or the product of any animal which has ded otherwise than by slaughter. Nothing in this act shall be construed as prohibiting the sale of sausage which when properly labeled shall conform to the following standard: Sausage shall not contain cereal in excess of 2 per cent. when cereal is added its presence shall be noted on the label or on the product. That water or ice shall not be added to it except for the purpose of facilitating grinding, chopping, and mixing, in which case the added water or ice shall not exceed 3 per cent except as provided in the following paragraph:

Sausages of the class which are cooked or smoked, such as Frankfurt style. Vienna style, and Bologna style, may contain added water in excess of 3 per cent, but not in excess of amount sufficient to make the sausage palatable. When water in excess of 3 per cent is added to this class of sausage, the statement "Sausage, water and cereal" shall appear on the label or on the product, but when no cereal is added the addition of water need not be stated.

Nonalcoholic Beverages—Manufacture, Bottling, Labeling, and Sale. (No. 126, Act May 9, 1927)

Section 1. No person, firm, or corporation shall manufacture or bottle for sale at wholesale any soft drink, natural or mineral water, carbonated or otherwise, or other nonalcoholic beverage except apple cider within this State without having first filed with the department of agriculture an application for a license for each plant 60 days prior to contemplated operation of plant accompanied with a fee of \$25, upon receipt of which application the commissioner of agriculture shall, after satisfactory inspection, issue to the person, firm, or corporation making such application a license to manufacture or bottle soft drinks, distilled, spring, or mineral waters, fruit juices, or other nonalcoholic beverages, as hereinafter provided. Said license shall run for one year from the date of issue, unless sooner revoked, as herein provided, and must be prominently displayed in said plant, and shall be renewed annually thereafter. No license issued under the provisions of this act shall be transferable.

SEC. 2. No soft drink, distilled, spring, or mineral water, or other nonalcoholic beverage except apple cider not manufactured or bottled in the State shall be sold or offered for sale within the State of Michigan unless same is first inspected and registered with the department of agriculture as provided in section 3 hereof, and an inspection fee of \$25 for each such drink or other nonalcoholic beverage bearing a distinguishing flavor or name shall be paid by either the manufacturer, his agent or dealer, to the department of agriculture of the State

of Michigan, same to be renewed annually.

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Sec. 3. No person, firm, or corporation shail sell, offer for sale, or have in his or their possession with intent to sell, any soda-water sirup or extract, soft-drink sirup or extract, or nonalcoholic cordials without first registering the same and the name and address of the manufacturer thereof with the commissioner of agriculture. At the time of making such registration an inspection fee of \$5 for each and every sirup or extract that is sold or offered for sale shall be paid to the commissioner of agriculture. Said registration shall be renewed annually: Provided, That whenever any manufacturer, agent, or seller shall have paid this fee, his or their agent or dealer using the same shail not

be required to do so. All moneys collected hereunder by the commissioner of agriculture shall be paid into the State treasury and credited to the beverage inspection fund hereby created. The moneys so derived are hereby appropriated to compensate for and meet the expense of inspection of plants and general supervision of the industry. The provisions of this section shall not apply to local sellers of soft drinks or other nonintoxicating beverages or sirups and extracts made by themselves for their own use or retail exclusively. A manufacturer, jobber, or dealer in every sirup, extract, soft drink, distilled, spring, or mineral water, or other nonalcoholic cordial or beverage required to be registered under this section shall, upon making application for such license, file with the commissioner of agriculture a sample of said sirup, extract, soft drink, or other nonalcoholic cordial or beverage for analysis, and said registration shall not be granted by the commissioner of agriculture unless he shall determine that said sirup, extract, soft drink, or other beverage is free from all harmful drugs and other ingredients that are injurious to health.

SEC. 4. The use of saccharin in the manufacture of soft drinks or other

nonalcoholic beverages is hereby prohibited.

Sec. 5. The commissioner of agriculture shall have the power to revoke any license issued under the provisions of this act whenever it is determined by himself or any of his deputies, chemists, or other properly qualified officials that any of the provisions of this act have been violated. Any person, firm, or corporation whose license has been so revoked shall discontinue the manufacture or sale within the State of soft drinks, sirups, cordials, fruit juices, distilled, spring, or mineral water, or other nonalcoholic beverages until the provisions of this act have been compiled with and a new license issued. He may revoke such license temporarily until there is a compliance with such conditions as he may prescribe, or permanently for the unexpired period of such license.

SEC. 6. Before revoking any license the commissioner of agriculture shall give written notice to the licensee affected, stating that he contemplates the revocation of the same and giving his reasons therefor. Said notice shall appoint a time of hearing before said commissioner and shall be mailed by registered mail to the licensee. On the day of hearing the licensee may present such evidence to the commissioner as he deems fit, and after hearing all the testimony the commissioner shall decide the question in such manner as to him

appears just and right.

Sec. 7. Any licensee who feels aggrieved at the decision of the commissioner may appeal from said decision within 10 days by writ of certiorari to the

circuit court of the county where licensee resides.

Sec. 8. For the purpose of this act, all soft drinks or other nonalcoholic beverages, except pure, nonalcoholic fruit juices, shall consist of a beverage made from a pure cane or beet-sugar sirup containing pure flavoring materials, with or without added fruit acid, with or without added color, and shall contain in the finished product not less than 8 per cent sugar, except dry ginger ale, which must contain not less than 7 per cent sugar: Provided, That nothing in this act shall prohibit the use of any other harmless ingredients in the manufacture of soft drinks or other nonalcoholic beverages: And provided further, That whenever artificial coal-tar colors are used, nothing but the certified colors as approved by the Federal Government are permissible. The provisions of this section shall not apply to the nonalcoholic beverages made in imitation of beer, bitter drinks, or other similar drinks. All soft drinks or other nonalcoholic beverages not in compliance with the standards established

by this act shall be deemed to be adulterated.

Sec. 9. Whenever artificial colors are used in the manufacture of soft drinks or other nonalcoholic beverages bearing a distinctive or coined name, the label or crown on the container shall indicate the presence of "artificial color." All still drinks, nonalcoholic ciders, nonalcoholic fruitades, nonalcoholic fruit juices, or other similar drinks that are made in imitation of the natural fruit juices shall be properly and distinctly labeled with the word "imitation," followed by the name of the beverage. All such drinks or other nonalcoholic beverages sold in or drawn from cooler bottles or other closed containers of a quart or more capacity that contain artificial coloring or artificial flavor of any character shall be labeled "imitation," said labels to be prominently displayed to the public on all containers in which said still drinks or other nonalcoholic beverages are sold or dispensed. Labels for this purpose shall be printed in letters not less than 1 inch long and three-fourths of an inch in width and the word "imitation" shall precede and be in equal-sized type

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with the name of the imitated fruit juice following. All advertising or display signs shall conform to the aforementioned requirements.

SEC. 10. When soda water, carbonated soft drinks, or other nonalcoholic beverages manufactured from true fruit extracts or natural fruit flavors or natural fruit juices not made in imitation of a fruit juice contain artificial color or flavor, the labels or crowns shall indicate the presence of artificial color, flavor, or both, with the words "artificial color and flavor," preceded by the name of the drink, as follows: "Cherry Soda (in equal-sized type) artificial color and flavor," and all other fruit flavors labeled in like manner.

Sec. 11. All bottles of a quart capacity or less used in the manufacture of soft drinks, distilled, spring, or mineral waters, or other nonalcoholic beverages. before being filled, shall be sterilized by soaking in a hot caustic solution of not less than 120° F., that shall contain not less than 3 per cent caustic or alkali expressed in terms of sodium hydrate for a period of not less than five minutes, then thoroughly rinsed in pure water until free from alkali or sodium hydrate. Each and every bottle so sterilized, when filled with a soft drink or other nonalcoholic beverage, must be distinctly labeled with the true name of the soft drink, distilled, spring, or mineral water, or other nonalcoholic beverage therein contained, together with the true name of the manufacturer thereof. The use of bottles with other than the manufacturer's or filler's or authorized distributor's name blown therein, without the written consent of the original owner, is hereby prohibited. Nothing in this act shall be construed to include milk or cream bottles.

SEC. 12. All buildings, stores, factories, or other places where soft drinks, fruit juices, cordials, distilled, spring, or mineral waters, or other nonalcoholic beverages are manufactured or bottled shall be well lighted and ventilated and shall be kept at all times in a sanitary condition. All machines, bottles, jars, or other utensils used in the manufacture of soft drinks, fruit juices, cordials, or other nonalcoholic beverages shall be kept at all times in a clean and sanitary place and in a sanitary condition.

SEC. 13. No bottle shall be used in the manufacture of soft drinks or other nonalcoholic beverages in which the metal or rubber part of the stopper comes in contact with the beverage. The provisions of this section shall not apply to carbonated water put up in siphons.

Sec. 14. This act sha'l be construed as in no way affecting, modifying, or changing in any manner, any act passed by the legislature relating to the manufacture and sale of intoxicating liquors.

SEC. 15. Any person, firm, or corporation who shall do any of the acts or things prohibited, or neglect or refuse to do any of the acts or things required by this act, or in any way violate any of its provisions, shall be deemed guilty of a misdemeanor and shall be punished by a fine of not more than \$100, or by imprisonment in the county jail for a period of not more than 90 days, or by both such fine and imprisonment, in the discretion of the court.

Sec. 16. The commissioner of agriculture shall be charged with the enforce-

ment of the provisions of this act.

SEC. 17. Act No. 259 of the public acts of 1919, as amended, is hereby repealed.

Certain Drug Addicts-Commitment, Care, Treatment, and Maintenance. (No. 148, Act May 12, 1927)

Section 1. Whenever any person shall have been convicted in this State for a violation of act No. 92 of the public acts of 1923, as amended by act No. 9 of the public acts of 1925, or of any offense cognizable by a justice of the peace, and it shall appear to the trial court from evidence or from the statement of the defendant that such person is habitually addicted to the use of habit-forming drugs, such court, instead of imposing judgment in said cause for such offense as otherwise provided by law, may commit such defendant to the Wayne County Hospital, Wayne County, Mich., for care and treatment for the use of such habit-forming drugs, for a period not to exceed two years or for as long a period as shall in the opinion of the court, based upon the report of the medical superintendent of said hospital be necessary and proper for the benefit

Supplement 42 to Public Health Reports, p. 366.
 Supplement 49 to Public Health Reports, p. 187.
 Supplement 59 to Public Health Reports, p. 212.

of said defendant: Provided, That in no event shall such person be kept in the Wayne County Hospital under such commitment for more than two years from

the date of such commitment.

Sec. 2. The board of supervisors of any county in the State shall have full power and authority to enter into an agreement with the board of supervisors of Wayne County to send any person who may be committed to such place from such county to the Wayne County Hospital and have such person received and kept in said hospital. Whenever any person shall be committed to the Wayne County Hospital, under the provisions of this act, from any county of the State of Michigan other than Wayne County, such county from which such person is committed shall be liable to the county of Wayne for the care, support, maintenance, and supervision of such person while in the Wayne County Hospital in an amount to be determined by contract between the board of supervisors of the county of Wayne and the respective boards of supervisors of such other county of the State from which such person may be committed. Such amount shall be computed and based upon the approximate cost necessary for the care, support, maintenance, and supervision of such persons committed.

support, maintenance, and supervision of such persons committed.

SEC. 3. It shall be the duty of the sherff of any county from which any person is committed to the Wayne County Hospital, as in this act provided, to safely convey and deliver such person forthwith upon commitment to the Wayne County Hospital, for which such sheriff shall be paid the same fees and

compensation as for conveying persons to a State hospital.

Sec. 4. It shall be the duty of the superintendent of the Wayne County Hospital to receive all persons duly committed to such hospital and keep such persons safely thereat until their lawful release or discharge therefrom and it shall be his further duty to promulgate proper rules and regulations for the government and discipl ne of the hospital and the persons so committed thereto: Provided, That in cases where no contract exists between the county of Wayne and a county from which any person may be committed to the Wayne County Hospital, the superintendent of such hospital shall not be obliged to receive any such person so committed for care and treatment.

Sec. 5. The superintendent of sa d Wayne County Hospital is hereby author-

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Sec. 5. The superintendent of sa'd Wayne County Hospital is hereby authorized and directed to release or discharge any such defendant at such time as in the opinion of the court said defendant shall have been cured of the habitual use of any such habit-forming drugs, or at such other time within the limit herein provided as it shall appear to the court that such release or discharge is for the best interests of said defendant having due regard for the report of

the superintendent of such hospital.

School Code—Provisions Relating to Sanitary Equipment, Sanitary Condition, and Construction of Schools; Instruction in Health Subjects; Medical Inspection; and Health and Physical Education. (No. 319, Act June 1, 1927)

[Part I. Class fication, formation, and organization of school districts. Chapter 2. Primary school districts. Director.]

SEC. 15. It shall be the duty of the director of each school district:

Sixth. To provide the necessary appendages for the schoolhouse and keep the same in good condition and repair during the time school shall be taught therein. Mecessary appendages within the meaning of the law shall consist of the following articles, to wit: * * * towel, * * * sanitary cups, * * * washbasin and soap, and upon the order of the district board shall furnish the schoolhouse with such other apparatus as may be necessary for doing efficient work.

[Chapter 4. Township school districts.] Sec. 26. The board of education shall have the following powers and duties:

(g) To have the care and custody of all school property and to provide suitable school privileges and sanitary conditions for all schools, a suitable

(h) * * In the adoption of textbooks the board shall provide for instruction in the subject of physiology and hygiene with special reference to the nature of alcohol and narcotics and their effects upon the human system, and sanitary science. Textbooks adopted in this subject shall give at least one-fourth of their space to the consideration of such subjects and for the high schools such books shall contain at least 20 pages of such matter, and the

instruction in this subject shall be given in such manner and at such times as may be suited to the grade of the pupils. The textbooks used in giving such instruction shall first be approved by the State board of education. Each teacher or superintendent shall report to the board of education at the close of each term or year in regard to the quantity and character of such special instruction in the subject of alcohol and narcotics, and the secretary of the board shall certify to the superintendent of public instruction that such instruction has been given.

(q) * * * The contracts [with legally qualified teachers] shall also require the board to provide all proper material and keep the school property in proper and sanitary condition. * * * [Chapter 6. School districts of the third class.]

SEC. 15. The board of education of any school district of the third class hereunder shall have the following powers and duties:

(g) To have the care and custody of all school property and to provide suitable school privileges, sanitary conditions, and medical inspection for the schools of the district. * PAYS WALL IN * NAV THE THE

[Chapter 9. The superintendent of public instruction.]

SEC. 2. It shall be the duty of the superintendent of public instruction:

(e) * * * to require school boards to carry out his recommendations relative to the safety of school buildings, equipment, and appurtenances, including all conditions that may endanger the health or life of the school children.

[Part II. General school law. Chapter 2. Powers, duties, and requirements

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SEC. 17. There shall be taught in every public school within this State the principal modes by which each of the dangerous communicable diseases are spread and the best methods for the restriction and prevention of each such disease. Such instruction shall be given by the aid of textbooks on physiology, supplemented by oral and blackboard instruction. No textbook on physiology shall be adopted for use in the public schools of this State, unless it shall give at least one-eighth of its space to the causes and prevent on of dangerous communicable diseases and the requirements for maintaining good health.

Sec. 18. In addition to the branches in which instruction is now required by law to be given in the public schools of the State, instruction shall be given in physiology and hygiene, with a special reference to the nature of alcohol and narcotics and their effect upon the human system. Such instruction shall be given by the aid of textbooks in the case of pupils who are able to read and

as thoroughly as in other studies pursued in the same school.

[Chapter 5. The school district board.]

SEC. 14. Every board of education, except as otherwise provided in this act, shall have the following powers and duties:

2. To vote such taxes as may be necessary for all school purposes which shall include school furnishings and all appurtenances, the care of school property, for such alterations as shall be necessary to place the schoolhouse in a safe and sanitary condition, * * * water supply, * * * and all apparatus, equipment, and material which may be necessary in order that the schools may be properly managed and maintained, and for the deficiencies in such funds for the preceding year, if any.

SEC. 18. The district board shall provide a water supply for pupils and have the care and custody of the schoolhouse or other property of the district and shall make and enforce suitable rules and regulations for its government, management, and preservation.

[Chapter 13. Approval of plans for school buildings and additions to school buildings.] Section 1. No schoolhouse shall hereafter be erected in any school district in this State, and no addition to a school building in any such district shall hereafter be erected, the cost of either of which shall exceed \$300, until the plans and specifications for the same shall have been submitted to the superintendent of public instruction and his approval or authorized approval is indorsed therein. Such plans and specifications shall be submitted in duplicate and shall show in detail the ventilation, heating, and lighting, and other items which said superintendent may require. They shall comply with his requirements for the school district for which said plans and specifications are submitted. The said superintendent of public instruction shall have authority to inspect such building or buildings during the process of construction or after construction in order to determine that the provisions of this act are being complied with.

SEC. 2. The superintendent of public instruction shall have authority to inspect and condemn schoolhouses. After an inspection of a schoolhouse, if in the judgment of the said superintendent of public instruction, such building, or any part thereof, is not in a safe and sanitary condition, notice thereof shall be given to the district board or board of education of the district in which such building is located, said notice to be given at least six months preceding the 1st day of August. On the 1st day of August following such notice given, if said building has not been placed in a safe and sanitary condition by the district board or board of education, said superintendent of public instruction shall have authority to close such building, or a part thereof, and such building, or part thereof, shall not again be opened for public use until such building, or part thereof, shall have been placed in a safe and sanitary condition

to the satisfaction of said superintendent of public instruction.

Sec. 3. After such building, or part thereof, has been closed for public use, the superintendent of public instruction shall be authorized, and he is hereby required, to have such building, or part thereof, placed in a safe and sanitary condition at the expense of the district: Provided, That any district board or board of education, being dissatisfied with the order of the superintendent of public instruction determining such schoolhouse to be in an unsafe or insanitary condition, may, within 30 days of the issuance of such order and notice thereof, commence an action in the circuit court in chancery for the county in which such schoolhouse is located against the superintendent of public instruction as defendant, to vacate and set aside such order on the ground that said order is unlawful or unreasonable; in which suit the superintendent of public instruction shall be served with subpœna and a copy of the complaint.

SEC. 4. No tax voted by a district meeting, or other competent authority in and such school district, exceeding the sum of \$300 for building purposes, shall be expended by the district board or board of education of such district until the superintendent of public instruction shall certify or cause to be certified that the plans and specifications for the same comply with the provisions of

Sec. 5. No heating system shall hereafter be installed in any schoolhouse in this State, nor shall any heating system be replaced by another heating system in any schoolhouse of this State, until plans and specifications for the same shall have been submitted to the superintendent of public instruction and his approval indorsed thereon. The plans and specifications shall make provision for ventilation either as a part of or in connection with the heating system and shall be submitted in duplicate to the superintendent of public instruction.

SEC. 6. It shall be unlawful for any officer, board, committee, architect, builder, civil engineer, plumber, carpenter, mason, contractor, subcontractor, foreman, or employee to vary from plans and specifications approved by the superintendent of public instruction without his written consent, or otherwise violate or assist in violating any of the provisions contained in this act. Any person, board, firm, or corporation who violates any of the provisions of this section, or of the chapter of this act relative to the approval of plans for school buildings, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not to exceed \$500 or imprisonment in the county jail for a period not to exceed six months, either or both in the discretion of the court.

[Chapter 17. Compulsory education.]

SEC. 10. It shall be the duty of the county attendance officer, when requested to do so by the county commissioner of schools, to inspect the outhouses in primary, township, and rural agricultural districts and order repairs on the same, and in case the district board, after proper notification by the attendance officer, fails to have such outhouses put in proper and sanitary condition it shall be the duty of said attendance officer to have such work done at the expense of the district.

[Chapter 20. Health and physical education.]

Section 1. There shall be established and provided in all public schools of this State, and in all State normal schools, health and physical education for pupils of both sexes, and every pupil attending such schools of this State so far as he or she is physically fit and capable of doing so shall take the course

in physical education as herein provided.

Sec. 2. It shall be the duty of boards of education in all school districts having a population of more than 3,000 to engage competent instructors of physical education and to provide the necessary place and equipment for instruction and training in health and physical education; and other school boards may make such provision: *Provided*, That nothing in this chapter shall be construed or operate to authorize compulsory physical examination or compulsory medical treatment of school children, nor to allow the teaching of sex hygiene and kindred subjects in the public schools of this State.

SEC. 3. The curriculum in all normal schools of this State shall contain a regular teacher's course in health and physical education under competent

jurisdiction.

SEC. 4. The superintendent of public instruction shall prepare and distribute suitable course of study in health and physical education.

SEC. 6. The superintendent of public instruction shall appoint such supervisors and other office and clerical help as he shall deem necessary to carry out the provisions of this chapter and he may revoke said appointments in his discretion.

Deaths Occurring Without Medical Attendance—Certification as to Cause of Death. (No. 125, Act May 9, 1927)

[This act amends section 8 of Act 343,* laws, 1925, to read as follows:] SECTION 8. In case of any death occurring without medical attendance it shall be the duty of the undertaker or person acting as such to notify one of the county coroners, or a justice of the peace acting as coroner, who shall investigate or hold an inquest as the circumstances requ re and shall certify as to the cause of such death on the death certificate and shall sign the same officially as coroner or acting coroner. If such death was the result of violence, the said coroner, or justice of the peace acting as such, shall state the cause of the violence and whether or not it was apparently accidental, su cidal, or homicidal, and shall furnish such further information as may be required by the State commissioner of health.

Garbage Disposal Plants and Sewage Disposal and Treatment Works—Acquisition, Construction, Operation, or Maintenance of, in Incorporated Cities and Villages by Other Municipalities, Corporations, or Persons. (No. 261, Act May 24, 1927)

Section 1. All incorporated cities and villages of this State shall have the power to prevent any other municipal or public corporation from acquiring, erecting, owning, operating, maintaining, managing, controlling, or building garbage-disposal plants, garbage-reduction plants, sewage-disposal tanks, settling basins, apparatus or screens for the treatment of sewage matter within the corporate limits of such cities or villages.

^{*} Supplement 59 to Public Health Reports, p. 214.

Sec. 2. It shall be unlawful for any individual, firm, private, public, or municipal corporation to acquire, erect, own, operate, maintain, manage, control, or build garbage-disposal plants, sewage-disposal plants, settling basins, apparatus or screens for the treatment of sewage matter within the corporate lim ts of any other city or village, without first obtaining a permit from said city or

village in accordance with the provis ons of this act.

Sec. 3. Any public or municipal corporation desiring such permit shall make application for the granting thereof unto the legislat ve body of any city or village in which said work or plant is proposed to be located. Such application shall state the exact property within the city lim to be devoted to said plant and shall state the kind of work or plan contemplated and the size and capacity thereof and shall render such other information to the said legislative body as the latter may require. The proposal shall, in manner and form as sa d body may provide, be submitted to a vote of the electors of said city or village at the next general or special election, and if the granting of the permit be approved by a majority of the electors voting therefor, then the permit shall be granted: Provided, however, That nothing in this act shall prevent any city or v llage from disposing of its own sewage matter within its own corporate limits or in territory outside thereof which is not within the limits of any other incorporated city or village w thout obtaining a permit therefor as in this act required, or in any such plants and works actually in operation at the time of the passage of this act or enlargements thereto.

SEC. 4. Any building, plant, or work erected, constructed, or carr ed on in violation of any of the provisions of this act is hereby declared to be a nuisance, and an action for the abatement of such nuisance may be brought in the name of the people of the State of Michigan by the attorney general of the State of Michigan, or by any one or more of the property owners within the city or village in which said building, plant, or work is attempted to be placed in

violation of this act.

Sec. 5. Nothing in this act shall in any way impair, impeach, or in any way affect any right of action in law or in equity that may now exist in addition to the provisions of this act for the prevention of building plants or works named in this act, nor shall this act in any way affect the right of any city or village to enact ordinances for their protection aga nst such building plants or works in this act named.

Sewage Disposal, Drainage, Water, etc.—Incorporation of Metropolitan Districts for Supplying. (Amendment to Constitution, Ratified by People April 4, 1927)

[Article VIII of the constitution was amended by adding the following

section thereto:]

SEC. 31. The legislature shall by general law provide for the incorporation by any two or more cities, villages, or townships, or any combination or parts of same, of metropolitan districts comprising territory within their limits, for the purpose of acquiring, owning, and operating either within or without their limits as may be prescribed by law parks or public utilities for supplying sewage disposal, drainage, water, light, power, or transportation, or any combination thereof, and any such district may sell or purchase, either within or without its limits as may be prescribed by law, sewage-disposal or drainage rights, water, light, power, or transportation facilities. Any such districts shall have power to acquire and succeed to any or all of the rights, obligations, and property of such cities, vilages, and townships respecting or connected with such functions or public utilities: Provided, That no city, village, or township shall surrender any such rights, obligations, or property without the approval thereof a majority vote of the electors thereof voting on such question. Such general law shall limit the rate of taxation of such districts for their municipal purposes and restrict their powers of borrowing money and contracting debts. Under such general law, the electors of each district shall have power and authority to frame, adopt, and amend its charter upon the approval thereof by a majority vote of the electors of each city, village, and township, voting on such question, and, through its regularly constituted authority, to pass all laws and ordinances relating to its municipal concerns, subject to the constitution and general laws of this State.

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Sewage Disposal Systems, Sewers, and Plants—Cities Authorized to Provide in Charter for Acquisition, Establishment, Operation, Extension, and Maintenance of. (No. 156, Act May 12, 1927)

[This act amends section 4 (as amended by act 224, laws, 1925) of act 279, laws, 1909, by adding the following subdivision z-1:

[Section 4. Each city may in its charter provide:]

z-1. For the acquiring, establishment, operation, extension, and maintenance of sewage-disposal systems, sewers, and plants, either within or without the corporate limits of such city, as a utility, including the right to acquire property necessary therefor, by purchase, gift, or condemnation, and including the fixing and collecting of charges for service covering the cost of such service, the proceeds whereof shall be exclusively used for the purposes of said sewage-disposal system, and which may include a return on the fair value of the property devoted to such service, excluding from such valuations such portions of the system as may have been paid for by special assessment, and which charge may be made a lien upon the property served and if not paid when due to be collected in the same manner as other city taxes.

Sewage Disposal and Treatment Plants—Acquisition, Construction, and Operation of, in Cities and Villages. (No. 320, Act June 1, 1927)

Section 1. Any city or village in this State is hereby authorized to own, acquire, construct, equip, and operate, either within or without the corporate limits of such municipality, a plant or plants for the treatment, purification, and disposal in a sanitary manner, approved by the State department of health, of the liquid and solid wastes, sewage, and night soil of such municipality. It shall have authority to acquire by gift, grant, purchase, or condemnation necessary lands therefor, either within or without the corporate limits of such municipality. For the purpose of acquiring property for the uses herein mentioned such municipalities may invoke and shall have all of the rights, powers, and privileges granted to "public corporations" under the provisions of Act No. 149 of the public acts of 1911, being sections 353 to 373, inclusive, of the compiled laws of 1915 as amended, and which shall be in addition to any

powers granted such municipality by its charter.

Sec. 2. Such sewage disposal plant and system shall be considered a public utility within the meaning of any constitutional or statutory provision of this State for the purpose of purchasing, owning, operating, constructing, and equipping such sewage disposal plant and system. A municipality may issue mortgage bonds therefor beyond the general limits of the bonded indebtedness prescribed by law except as hereinafter provided. Such mortgage bonds as provided in this section shall not impose any general liability upon the municipality but shall be secured only on the property and revenues as hereinafter provided of such utility including a franchise stating the terms upon which, in case of foreclosure, the purchaser may operate the same, which franchise shall in no case extend for a longer period than 20 years from the date of the sale thereof on foreclosure. Such mortgage bonds shall be sold for not less than par; bear interest at a rate not to exceed 6 per cent per annum, and the total amount thereof shall not exceed 60 per cent of the original cost of the utility, except as hereinafter provided. No bonds shall be issued as general obligations of the municipality except upon a three-fifths affirmative vote of the qualified electors of such municipality and except as hereinafter provided, nor in excess of 3 per cent of the assessed valuation of the real and personal property of such municipality as shown by the last preceding tax roll.

SEC. 3. The legislative body of any such municipality may create a separate board or may designate certain officials of the municipality to have the supervision and control of such sewage disposal plant. The legislative body or such board may make all necessary rules and regulations governing the use, operation and control thereof. The legislative body may establish just and equitable rates or charges to be paid to it for the use of such disposal plant and system by each person, firm or corporation whose premises are served thereby. If the service charge so established is not paid when due, such sum may be recovered by the municipality in an action of assumpsit, or it may be certified to the tax assessor and assessed against the premises served, and collected or returned in the same manner as other municipal taxes are certified,

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SEC. 4. Bonds which are issued and secured by a mortgage on the utility as hereinbefore provided shall not be a general obligation of the municipality, but shall be paid only out of the revenues received from the service charges as provided in the preceding section, or from a sale of the property and franchises under a foreclosure of the mortgage. If a service rate is charged, to be paid as herein provided, such portion thereof as may be deemed sufficient shall be set aside as a s.nking fund for the payment of the interest on said bonds, and the

principal thereof at maturity.

SEC. 5. Any municipality as herein mentioned instead of owning and operating a sewer system and sewage disposal plant, as herein provided, may grant a franchise for a period not to exceed 30 years to any private corporation organized under or authorized by the laws of this State to engage in such business, to build, construct, own, and operate a sewer disposal plant for the purpose of receiving and treating sewage and night soil as hereinbefore mentioned from such municipality. Such franchise may authorize the corporation to charge each person, firm, or corporation owning property from which such sewage is received such a fee therefor as may be determined to be reasonable by the public utilities commission of this State, upon proper application made either by such corporation or the municipality, and after a hearing thereon. Such franchise may also grant to the corporation the right and privilege to lay all such necessary intercepting and other sewers and connecting pipes in the streets and public alleys of the municipality as may be necessary to receive and conduct the sewage to the disposal plant and under such reasonable rules, regulations, and supervision as may be established by the municipality.

SEC. 6. Any such municipality may enter into a contract with any corporation organized under or authorized by the laws of this State to engage in the business herein mentioned, to receive and treat in the manner hereinbefore mentioned the sewage and night soil thereof. Such contract may authorize the corporation to charge the owners of the premises served such a service rate therefor as the public utilities commission of this State may determine to be just and reasonable, or the municipality may contract to pay the said corporation a flat rate for such service, and pay therefor out of its general fund or assess the owners of the property served a reasonable charge therefor to be collected as here nbefore provided and paid into a fund to be used to defray

such contract charges.

SEC. 7. Whenever a court of competent jurisdiction in this State shall have ordered the installation of a sewage disposal system in any mun cipality herein mentioned, and the plans therefor shall have been prepared, and approved by the State Commissioner of Health, the legislative body thereof shall have authority to issue and sell the necessary bonds for the construction and installation thereof, including the disposal plant, and such intercepting and other sewers as may be necessary to permit the effective operation of such system; such bonds to draw interest at not to exceed 6 per cent per annum, and payable in not to exceed 30 years from the date of issuance; the legislative body to determine the denomination of said bonds and the date, time, and mauner of The amount of such bonds e ther issued or outstanding shall not be included in the amount of bonds which the said municipality may be author zed to issue under its charter or any statute of this State. Any municipality issuing bonds hereunder in excess of the limit of the authorized bonded indebtedness fixed by its charter, or by any other statute, the principal and interest of which are not to be paid out of funds created from service charge, as hereinbefore provided, may raise such a sum annually by taxation as its legislative body may deem necessary to pay interest on such bonds, and to create a sinking fund to pay the principal thereof as it falls due, such annual amount may be in excess of the authorized annual tax rate fixed by its charter or other law. Except as otherwise provided in this act, all bonds issued hereunder shall be issued and sold in conformity to the provisions of Act No. 273 of the public acts of 1925 or as it may be hereafter amended.

Sec. 8. Whenever an order shall have been made by any court of competent jurisdiction, as hereinbefore provided, the fact that such order was issued shall be recited in the official minutes of the legislative body. The said body shall thereupon require that plans and specifications be prepared of such sewage disposal system, including the necessary storm and sanitary sewers, which plans when submitted and approved by the legislative body shall be submitted thereafter to the State commissioner of health for his approval. If such plans are so approved, the legislative body shall thereupon authorize the issuance and

sale of the necessary bonds to establish the proposed system.

SEC. 9. The authority hereby given shall be in addition to and not in derogation of any power existing in any city or village under any charter provisions which it may now have or may hereafter adopt: *Provided*, That this act shall not apply to any city organized under the provisions of Act No. 279 of the public acts of 1909 until such city shall have adopted the provisions hereof in the manner provided in said Act No. 279 of the public acts of 1909 for amending the charter thereof.

SEC. 10. Proceedings under this act shall be taken only in a court of competent jurisdiction in the county in which the proposed sewage-disposal system is to

be constructed.

SEC. 11. Act No. 2° of the public acts of the extra session of 1926, and any other acts or parts of acts inconsistent herewith are hereby repealed.

Methanol and Completely Denatured Alcohol—Sale—Labeling. (No. 111, Act May 5, 1927)

Section 1. No person shall sell, offer for sale, give away, deal in, or supply, or have in his or her possession with intent to sell, offer for sale, give away, deal in, or supply any methanol (otherwise known as wood naphtha, wood alcohol, or methyl alcohol) or completely denatured alcohol, either crude or refined, unless the container in which the same is sold, offered for sale, given away, dealt in, or supplied shall have lithographed or imprinted upon said container or upon a label pasted upon said container the following device and words, in bold characters in red color on white, viz:

(Skull and cross-bones represented)

POISON

SEC. 2. No person shall sell, offer for sale, give away, deal in, or supply, or have in his or her possession with intent to sell, offer for sale, give away, deal in, or supply, any completely denatured alcohol unless the container in which the same is sold, offered for sale, given away, dealt in, or supplied, shall have lithographed, imprinted, or pasted upon said container the "Poison" label prescribed by the Federal Government under the provisions of the national prohibition act, or any supplement thereto or amendment thereof: Provided, however, That the provisions of this section shall not apply to completely denatured alcohol transferred from manufacturers' or dealers' storage tanks directly to the radiators of automotive vehicles.

Sec. 3. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be subject to a fine of not more than \$100 and costs of prosecution, or imprisonment in the county jail for not less than 10 days, nor more than 90 days, or both such fine and

imprisonment in the discretion of the court.

Barbering—Health Certificate Required of Applicants For Registration as Barbers—Revocation of Certificate of Registration—Sanitary Requirements Governing and Inspection of Barber Shops and Barber Schools—Persons Having Communicable Diseases Not To Be Served. (No. 382, Act June 2, 1927)

SEC. 10. * * * There shall be attached to such application [for original registration as qualified barber and hair cutter] a certificate from a duly qualified and practicing physician of this State certifying that such applicant has been examined by him and is free from any contagious or infectious disease. * * *

Sec. 15. Said board [of examiners of barbers] shall have the power to revoke any certificate of registration granted by it under this act for * * * having or imparting any contagious or infectious disease, for doing work in an insanitary and filthy manner, or for noncompliance with the sanitary rules and regulations adopted. * *

Supplement 65 to Public Health Reports, p. 104.

SEC. 16. Said board shall have power to adopt rules and regulations prescribing the sanitary requirements of a barber shop, hair-cutting shop, barber school or college, subject to the approval of the board of health, and shall cause the rules so approved to be printed in a suitable form and shall transmit a copy thereof to the proprietor or person operating each barber shop, haircutting shop, barber school or college, who shall at all times conspicuously display same therein. All barber shops and hair-cutting shops must have hot and cold running water, and sewage connections therefrom, where such connections can be made. No gravity tanks or containers shall be allowed where connections can be made with waterworks system. No room occupied as a barber shop or hair-cutting shop shall be used for lodging or for residential purposes. Any member of said board or duly authorized deputy shall have power to enter and make reasonable examination of any barber shop, hair-cutting shop, barber school or barber college in this State during business hours for the purpose of ascertaining the sanitary conditions thereof. Any barber shop, hair-cutting shop, barber school or barber college in which tools, appliances, and furnishings in use therein are kept in an insanitary condition, so as to endanger health, is hereby declared to be a public nuisance and the proprietor thereof or person operating such barber shop, hair-cutting shop, barber school or barber college shall be subject to prosecution and punishment therefor. If any such barber shop, hair-cutting shop, barber school or barber college on such inspection is found to be neglecting or refusing to comply with the rules and regulations as provided for in this section, said inspector shall serve notice on the proprietor of the same, stating wherein said rules are not being complied with, and order said rules and regulations to be complied with within 24 hours. Failure to comply with said order shall subject the offender to the penalty as prescribed in section 19 of this act in addition to being liable to having his certificate revoked as hereinbefore provided.

Sec. 17. No person practicing the occupation of barbering or hair cutting in this State, in any barber shop, hair-cutting shop, barber school or barber college, shall knowingly serve a person afflicted with erysipelas, eczema, impetigo, sycosis, tuberculosis, or any other contagious or infectious disease. Any person so afflicted is hereby prohibited from being served in any barber shop, hair-cutting shop, barber school or barber college in this State. Any violation of this section shall be considered a misdemeanor as provided for in this act.

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Sec. 19. Any person who * * * violates any of the sanitary rules adopted by said board or any other provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than \$100 or by imprisonment in the county jail for not more than 90 days, or both such fine and imprisonment in the discretion of the court.

SEC. 21. Act No. 387 of the public acts of 1913, being sections 6828 to 6849, both inclusive, of the compiled laws of 1915, as amended, is hereby repealed.

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Communicable Diseases—Reports of Cases—Contacts—Library and School Books. (Reg. Bd. of H., August 11, 1927)

300. Notification within 24 hours by telegram or telephone in group 1 diseases, and by mail in group 2 diseases, shall be given by the attending physician to the division of preventable diseases of the State board of health (University

Campus, Minneapolis) when called to a case or suspected case of:
Group 1: Anthrax, Asiatic cholera, botulism, epidemic encephalitis (encephalitis lethargica), epidemic jaundice, epidemic or septic sore throat, glanders, plague, rabies (human cases and exposed persons), Rocky Mountain spotted or

tick fever, typhus fever, yellow fever, or when a death occurs from any of these

Group 2: Actinomycosis, dengue, dysentery (a) amebic, (b) bacillary, favus, hookworm disease, leprosy, malaria, paragonimiasis, pellagra, tetanus (including tetanus neonatorum), trichinosis, tularæmia, undulant fever (malta fever), Vincent's angina, or when a death occurs from any of these diseases.

328. Contacts.—Persons exposed to infection of anterior poliomyelitis, epidemic meningitis, chicken pox, measles, scarlet fever, and whooping cough, but not associated in the home of a patient, shall be placed under observation and required to report to the health officer at reasonable intervals, and may at the discretion of the health officer be placed in isolation.

In persons similarly exposed to infection in diphtheria the health officer or his authorized agent shall submit nose and throat cultures to one of the laboratories of the State board of health and pending receipt of report the exposed person shall be placed under isolation, except at the discretion of the health

officer adults may be placed under observation.

Persons similarly exposed to smallpox, who are unable to give to the health officer satisfactory evidence of protection through a recent successful vaccination or through having had smallpox previously shall be placed in isolation for a period of three weeks from date of last exposure.

329. Books exposed to infection.—Library books or books owned by a school shall not be loaned to persons residing in a house where anterior poliomyelitis, diphtheria, epidemic meningitis, scarlet fever, smallpox, typhoid fever, pulmonary or other form of tuberculosis exist, except by written permission of the

local health officer.

Upon notification of a case of any of the above-mentioned diseases the health officer shall make inquiry as to the use of library or school books. If such books have been exposed to infection he shall notify the library or school

authorities, directing what shall be done with the books.

Such books exposed to infection of the above-named diseases, except malignant smallpox and tuberculosis, and if not unduly soiled, shall be withdrawn from circulation and use for a period of not less than three months, during which period, the books shall be subjected to a warm, dry atmosphere of at least 70° F. combined with as much open air and direct or indirect sunlight as possible.

Books badly soiled by a person having any of the above diseases and books handled by a person having malignant smallpox shall be burned unless of unusual value, intrinsic or real, justifying special means and expense for disinfection to be borne by the owner, to be carried out under the direction of the

local health officer.

Books handled by a person having tuberculosis in an infectious stage shall be burned or, if of unusual value, disinfected, as suggested in the preceding paragraph, unless the local health officer is satisfied from the nature of the case and the character and habits of the individual that withdrawal of the books from circulation and use under conditions above specified is sufficient to insure safety.

Venereal Diseases-Reports of Cases. (Reg. Bd. of H., April 26, 1927)

2501. It shall be the duty of every person who makes a diagnosis of, or gives treatment for, a case of syphilis, gonorrhea, or chancroid, to report immediately to the State board of health on a form supplied for the purpose the name and address, age, sex, color, occupation, marital status, and probable source of infection of such diseased person, together with such other information as may be required: Provided, That, except as required in regulation 2502, the name and address need not be reported: And provided further, That physicians in a city of the first class, where required by ordinance to report such cases to the local board of health, may be exempted from reporting such cases direct to the State board of health, but the local health officer shall make returns of all such cases reported to him by the State board of health once a month on blanks furnished for that purpose by said board.

month on blanks furnished for that purpose by said board.

In reporting such cases the patient shall be identified by the serial number on the report; this serial number shall be made part of the physician's record of the case. It shall be the duty of all physicians or others treating or examining persons venereally diseased to keep a record, including the name and address of all persons diagnosed by them as infected with any venereal disease. This regulation shall apply to all physicians, superintendents or managers of hospitals, dispensaries, and charitable or penal institutions, and all other persons

treating or examining cases of venereal disease.

Diphtheria—Attendance at Schools and Gatherings. (Reg. Bd. of H., August 11, 1927)

707. Patients or others remaining infected longer than six weeks following subsidence of clinical symptoms in the last case shall not be permitted to attend any public, private, or parochial school, church, or Sunday school, or any public or private gathering, until two consecutive negative sets of separate nose and throat cultures have been reported in accordance with regulation 710.

All children in the household shall be subject to the above restrictions unless isolation of the infected persons obtains, when the health officer shall issue written permit which may be revoked if conditions are not complied with.

The health officer may give permission for persons remaining infected longer than six weeks to go to his office or that of his authorized agent for the purpose of having cultures taken.

Chicken Pox—School Attendance of Children in House with Case. (Reg. Bd. of H., December 10, 1927)

602. Children residing in the house who have had the disease previously may attend school upon receiving written permission from the health officer.

Tuberculosis—Employment of Visiting Nurses, Disinfection of Infected Premises, and Care and Maintenance of Indigent Cases. (Ch. 408, Act April 23, 1927)

[This act amends sections 725 and 726, General Statutes, 1923, to read as follows:]

725. In case any town, district or county antituberculosis society or association or county sanatorium commission or other society or association organized and existing for the purpose of controlling the spread of tuberculosis in this State considers it necessary to secure the services of visiting nurse or nurses or to disinfect any building, room, residence, hotel, or other place in such county infected with tuberculosis or to care for, support, or maintain poor persons afflicted with tuberculosis, such society shall report such fact to the county sanatorium commission, if there be one in the county, otherwise to the county board, and shall in such report recommend the course of action advisable to be adopted by the county sanatorium commission or county board in relation thereto and in accordance with the provisions of this act, and such commission or county board shall at the next meeting of such commission or board consider such report and recommendation and act on the same, and such commission or county board is authorized and empowered to audit and allow bills for services rendered in carrying into effect the action of such board in relation thereto.

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at \$10 purexp 726. The county boards of the several counties of this State may appropriate money out of the general revenue fund of the county or the county sanatorium commissions may appropriate money out of their funds for the purpose of paying for the services of visiting nurses or other medical attention or advice in preventing the spread of tuberculosis in such county, or for the care, support, and maintenance of poor persons afflicted with tuberculosis, whether the county has the town, county, or commission system of caring for the poor, or for the purpose of disinfecting any building, room, residence, hotel, or other place in such county infected with tuberculosis.

Teachers in Public Schools of First-Class Cities—Removal or Suspension While Suffering from Active Tuberculosis or Other Communicable Disease. (Ch. 36, Act March 14, 1927)

Sec. 6. Causes for discharge.—Causes for the discharge or demotion of a teacher either during or after the probationary period shall be:

(d) Affliction with active tuberculosis or other communicable disease shall be considered as cause for removal or suspension while the teacher is suffering from such disability.

State Tuberculosis Hospital—Admission, Maintenance, and Treatment of Patients. (Ch. 386, Act April 22, 1927)

SECTION 1. Admission—Examination—Expenses—How paid.—That General Statutes, 1923, section 4545, be amended to read as follows:

4545. Only persons who have resided in the State throughout the year preceding application and who are afflicted with incipient pulmonary tuberculosis shall be received into the sanatorium. Persons desiring admission shall apply to the superintendent, and all applications shall be numbered in the order of receipt. When a vacancy exists the superintendent shall give to the person whose name is first upon the list an order for examination directed to any examining physician. The advisory commission shall appoint such physicians, not exceeding three for each county, whose fee for examination shall be \$3, payable out of funds appropriated for the sanatorium. The examiner shall determine whether the applicant is afflicted as aforesaid and report his conclusion to the superintendent. The board shall fix the amounts to be charged for maintenance and treatment. A person unable to pay such charges and without kindred legally liable therefor and able to pay may be admitted on request of his county board, and the charges shall be paid by the county: Provided, That in all counties in this State now or hereafter having a population of over 200,000 inhabitants and maintaining a county tuberculosis sanatorium, the county sanatorium commission shall have the same powers with reference to tubercular persons as county boards under this section, and the charges for their care shall be paid by said county sanatorium commission out of its funds.

Tuberculosis Hospitals—Certain Counties Authorized to Construct or Aid Certain Societies, etc., to Construct and Maintain. (Ch. 223, Act April 14, 1927)

Section 1. County to appropriate money for preventorium.—Any county board in this State now or hereafter having a population of not less than 220,000 nor more than 330,000 inhabitants, may appropriate and expend not to exceed \$50,000 for the purpose of constructing or aiding any society, association, or corporation organized and existing for the purpose of giving medical attention to children afflicted with tuberculosis, or whom such society has reason to believe may become afflicted with tuberculosis, to construct a proper sanitarium.

SEC. 2. County may assist in maintaining.—Such county boards may also at their annual meeting in July of each year include an amount not to exceed \$10,000 to assist such society in the maintenance of such sanitarium.

Sec. 3. County board to appropriate funds.—Such county boards may for the purpose of carrying out the purpose of this act appropriate or expend any unexpended funds now in the county treasury of any such county.

Facilities for Treatment of Tuberculosis—Providing of, by Certain Counties and Cities Within Such Counties. (Ch. 70, Act March 25, 1927)

Section 1. Bonds authorized for tuberculosis hospital.—Any county and any city within such county which maintains a board of control by funds supplied in proportionate parts by any such county and any such city within such county may issue and sell in proportionate parts certificates of indebtedness or bonds of such county and such city within such county in an amount not to exceed \$210,000 for the purpose of defraying the cost of remodeling, altering, and equipping the buildings at the hospital and almshouse in any such city and in any such county for the purpose of increasing the efficiency of said hospital and almshouse to provide for the treatment and care of poor persons in such cities and counties and to provide additional facilities for the purpose of treating persons afflicted with tuberculosis; that is to say, that any such county may issue not to exceed \$140,000 of such bonds or certificates of indebtedness and that any such city within such county may issue not to exceed \$70,000 worth of such bonds and certificates of indebtedness.

SEC. 2. County board and board of control to issue bonds.-Whenever the board of county commissioners of any such county and the governing body of any city within such county shall deem it advisable to provide funds for the purpose of remodeling, altering, and equipping the buildings at the hospital and almshouse in any such city and in any such county for the purpose of increasing the efficiency of said hospital and almshouse to provide for the treatment and care of poor persons in such cities and counties and to provide additional facilities for the purpose of treating persons afflicted with tuberculosis in connection with a hospital and almshouse maintained by such board of control of such county and city may each for itself issue and sell certificates of indebtedness or bonds of any such county and any such city in an amount not to exceed \$210,000 without submission to the vote of the people, and the full faith and credit of the county and the full faith and credit of the city shall be pledged separately to the payment of the principal and interest of such certificates of indebtedness and bonds. Such bonds shall be in the form of serial bonds, a portion of which shall be payable each year after issue, but none of said bonds shall run for a longer term than 10 years, and the board of county commissioners of such county and the governing body of such city shall fix the denominations of said bonds and the dates of maturity thereof, so that the amounts necessary each year for the payment of principal and interest on said bonds shall be approximately the same in each of the years during which such bonds shall run. Such certificates of indebtedness or bonds shall be sold in the manner provided by section 1943, general statutes 1923, and the board of county commissioners of such county and the governing board of such city shall determine whether such bonds shall be sold to the purchaser who will pay a par value there[for] at the lowest rate of interest, or to the purchaser who will pay the highest price for such bonds at an interest rate to be fixed by the said board of county commissioners and the governing body of such city: *Provided*, *however*, That the rate of annual interest shall in no case exceed 6 per cent per annum.

Sec. 3. Amount of issue—Tax levy.—Of the total amount of bonds authorized by this section the county shall issue, bear, and pay two-thirds and the city shall issue, bear, and pay one-third of said bonds so issued by the board of county commissioners and the governing body of such city, respectively. And the board of county commissioners of such county and the governing body of any such city shall provide annually for the payment of such bonds and interest and shall raise sufficient taxes therefore [sic] and if any such board of county commissioners or the governing body of any such city shall fail to make provision in their annual tax levies for the payment and redemption of said bonds with the interest thereon as the same become due and payable the county auditor of any such county shall add to the amount of taxes to be raised by any such county and city an amount sufficient to provide for the payment and

redemption of such bonds, with interest due thereon.

Sec. 4. Funds reappropriated.—Any funds remaining unexpended and realized from the sale of bonds issued under chapter 398, general laws, 1923, shall also be used for the purpose of aiding in the remodeling, altering, and equipping the buildings at said hospital and almshouse.

Milk and Cream—Receiving, Handling, and Storage of, Pending Transportation—Cleanliness of Containers Returned to Receiving Stations. (Ch. 282, Act April 19, 1927)

Section 1. Common carriers to provide storage room.—That chapter 306, laws

of 1921, be and the same is hereby amended so as to read as follows:

Chap. 306. Section 1. Every person, firm, or corporation, engaged in the business of buying and shipping milk or cream by common carrier, or operating a milk station where milk or cream is purchased and prepared for shipment by common carrier, shall provide, equip, and maintain at every station where milk or cream is so received for shipment a clean and sanitary room for the receiving, handling, and storing thereof pending shipment. Said room shall be isolated and protected from contaminating surroundings, shall be constructed in a sanitary manner, and provided with screens on all doors and windows, and shall be well lighted and ventilated. The floor thereof shall be constructed of sanitary material, and shall be kept in a sanitary condition. Said room shall be equipped so as to maintain a supply of hot water of not less than 5 gallons and/or with live steam under pressure in sufficient quantity to meet all requirements. Said room shall be used exclusively for the receiving, handling, testing, and preparing for shipment of milk and cream.

Sec. 2. Milk, etc., must be cool.—Milk or cream stored or kept in any such receiving station awaiting shipment by common carrier shall be kept in a cool condition either by use of ice or a tank cistern or other device using cold

water, to be approved by the dairy and food commissioner.

Sec. 3. Cans must be cleaned.—Milk or cream cans or receptacles returned to such receiving stations after use shall be scalded, washed, and cleaned before

used again.

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SEC. 4. Violations, penalties.—Any person, firm, or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100 or in lieu thereof by imprisonment for not less than 30 nor more than 90 days. Each period of 24 hours, or part thereof, during which a receiving station is maintained in an insanitary condition shall be deemed a separate offense.

Sec. 5. Duties of dairy and food commissioner.—It shall be the duty of the dairy and food commissioner to inspect such milk and cream stations, and whenever he deems that any such station is not maintained in a sanitary condition to go before a magistrate and make proper complaint. Upon the conviction of any person of a second offense under this act, the testing license of such person shall automatically become null and void, and no further testing license shall be issued to such person until the period of two years shall have elapsed from the date of conviction of the second offense.

Pasteurization Plant Employees—Medical Examination. (Reg. Bd. of H., December 10, 1927)

205. All persons at pasteurization plants engaged in the pasteurizing, bottling, or handling of milk, or in the cleaning or handling of milk apparatus or utensils, shall submit to such medical examination as may be prescribed by the State board of health.

Creameries, Cheese Factories, Condenseries, Milk Plants, and Cream Stations—License. (Ch. 187, Act April 14, 1927)

Section 1. Creameries, etc., to be licensed.—No creamery, cheese factory, condensery, or milk plant for the manufacture of butter or other dairy products, or any cream station maintained for the purpose of purchasing, collecting, or storing cream or milk to be used in the manufacture of butter or cheese or other dairy products or for transportation, shall be operated in this State unless a license therefor shall be issued and be in force as herein provided. The owner, operator, or lessee of any such creamery, cheese factory, condensery, milk plant, or cream station shall apply to the dairy and food commissioner for such license upon such form and shall furnish such information as the commissioner may require. The application shall be accompanied by a fee of \$1 for each place to be licensed, which shall be paid into the State treasury. If the commissioner finds that such applicant maintains a proper place with sufficient and proper machinery and equipment for the manufacture of butter or cheese or other

dairy products, or for maintaining a cream station as required by law in this State and the rules and regulations of the commissioner, he shall issue the license so applied for. All such licenses shall expire on June 30 of each year, unless sooner revoked as herein provided. A separate license shall be required and the prescribed fee shall be paid for each such creamery, cheese factory, condensery, milk plant, or cream station.

condensery, milk plant, or cream station.

Sec. 2. Violations—Penalties.—Any person who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 or by imprisonment for not less than 30 days, and each subsequent offense by a fine of not less than \$50

or imprisonment for not less than 60 days.

SEC. 3. Licenses may be suspended or revoked.—Whenever any person licensed hereunder shall have been convicted of a violation of any provision of this act, or any provision of the Minnesota dairy and food laws, or any provision of any other law of this State relating to the manufacture or sale of butter or cheese or other dairy products, or the operation of creameries, cheese factories, condenseries, milk plants, or cream stations maintained for the purchasing, collecting, or storing of milk and/or cream to be manufactured into butter or cheese or other dairy products, or for transportation, or of any provision of any rule or regulation of the commissioner made and promulgated under the provisions of law, his license may be suspended for the time stated in order of suspension, or may be revoked or canceled by the dairy and food commissioner upon 10 days' written notice with opportunity to be heard; upon conviction of a second or any subsequent offense the commissioner may revoke and cancel such license with or without notice of hearing in his discretion, and in such case said commissioner shall not issue another license for the operation of such creamery, or cheese factory, or condensery, or milk plant, or cream station for a term of one year from the date of such cancellation or revocation.

Sec. 4. Dairy and food commissioner to enforce act.—The dairy and food commissioner shall enforce the provisions of this act, and in so doing shall have all the power and authority with relation thereto that is conferred upon him by chapter 495, laws 1921, known as the Minnesota dairy and food law, and the provisions of section 43 of said chapter shall be deemed a part thereof in

the enforcement of this act and the accomplishment of its purposes.

SEC. 5. Enforcement.—It shall be the duty of every prosecuting officer to whom the commissioner shall report any violation of this act to cause appropriate proceedings to be instituted and to be prosecuted in the proper courts without delay for the enforcement as in such cases herein provided. All fines imposed and paid hereunder shall be paid into the State treasury.

SEC. 6. Law repealed .- Chapter 271, laws 1925, is hereby repealed.

Commercial Vegetable and Fruit Canneries—Inspection—Correction of Insanitary Conditions or Practices—License—Powers and Duties of Inspectors—Labeling of Products—Assessments Against. (Ch. 177, Act April 13, 1927)

[This act amends sections 3835, 3837, 3839, 3842, 3843, and 3844 (as amended

by chap. 385, laws, 1925), general statutes, 1923, to read as follows:

SEC. 3835. All commercial vegetables [sic] and fruit canneries located within this State shall be under the supervision and regulation of the commissioner. For the purpose of this act a commercial cannery is defined to be a place or buildings where vegetables and/or fruits are packed in hermetically sealed cans, where sterilization by heat is used, and the products placed on the market for general consumption as human food; but shall not include private homes where farmers and/or others or State or county institutions may pack or preserve vegetables and/or fruits for their own use and make occasional sales of the surplus thereof. At such times as the commissioner may deem proper, he shall cause to be inspected all commercial canneries where vegetables and/or fruits are packed and/or preserved, and shall require the correction of all insanitary conditions or practices found therein, and may search and enter all cupboards, closets, or any other places in such canneries for the purpose of discovering any chemical preservatives or adulterants which he has reason to believe are used or intended to be used in the canning or preserving of vegetables and/or fruits, and for enforcing the provisions of this act.

Sec. 3837. No person shall operate a commercial cannery without having a license therefor from the commissioner, as hereinafter provided. Such license

shall be granted under such reasonable rules and regulations as the commissioner may prescribe. Upon filing application for a license, the commissioner shall issue a temporary permit, to be in effect only until a license shall have been issued or until the applicant shall have been notified of the denial of such application. Upon the filing of such application the commissioner shall cause an investigation to be made of the conditions of such cannery, for the purpose of determining whether or not a license should be granted. The application shall be in the form prescribed by the commissioner and shall give such information as he may require. Each application shall be accompanied by a license fee of \$1. All licenses shall expire on the 31st day of December next following the date of issue, but may be renewed without inspection on or before the 1st day of May of each year, upon application and payment of the license fee. The commissioner after reasonable notice and opportunity to be heard may by order revoke any license when the license fails to comply with any of the provisions of the Minnesota dairy and food law or any rule or regulation promulgated, issued, and published by the commissioner relating to the operation of commercial canneries; and he may reinstate any license when the licensee has fully complied with all the provisions of said law, rules, and regulations.

Sec. 3839. The commissioner shall, whenever he deems it necessary, furnish efficient inspectors at canneries while in operation, whose duties shall be to see that the canneries where assigned shall at all times comply with all food laws, national and State, and all sanitary laws, rules, and regulations; to superintend and see that nothing but proper raw materials, articles, or substances are used with the necessary sterilization by heat in the packing and preservation of food. The commissioner, his inspector in charge of canneries, or any local inspector assigned at such canneries shall be the judge of the quality of any raw material, articles, or other substances used in canning, packing, or preserving vegetables and/or fruits, and may, whenever they deem it necessary, condemn any such raw materials, articles, or substances, as being unfit for use

in the packing, canning, or preservation of foods.

SEC. 3842. The commissioner shall furnish to each commercial cannery that shall have fully complied with the provisions of this act a certificate of inspection that such cannery has been inspected and has complied with all laws, rules, and regulations applying thereto. The commissioner may authorize the proprietor of such cannery to use the following or similar label or brand on his products: "Packed under regulations of and in cannery inspected by Minnesota Dairy and Food Department" or such other label, trade-mark, device, brand, or guarantee certificate as the commissioner may designate or adopt.

Sec. 3843. The commissioner is hereby authorized and directed to collect from each commercial cannery, as herein defined, an assessment for inspection and services furnished, and for maintaining a bacteriological laboratory and employing a bacteriologist and such assistants as he may deem necessary, and a sufficient number of special inspectors to be assigned to canneries. The assessment to be made on each commercial cannery, for each and every packing season, shall not exceed one-half cent per case on all foods packed, canned, or preserved therein, nor shall the assessment in any one calendar year to any one cannery exceed \$1,000. The commissioner may, whenever he deems it advisable, graduate and reduce the assessment to such sum as is required to furnish the inspection and laboratory services rendered. The assessment made and the sums so collected shall be deposited in the State treasury, as other departmental receipts are deposited, but shall constitute a separate account to be known as the "Commercial canneries inspection account," which is hereby created, and together with moneys now remaining in said account is hereby set aside and appropriated as a revolving fund, to meet the expense of special inspection, laboratory, and other services rendered, as herein provided. The amount of such assessment shall be due and payable on or before December 31 of each year and shall bear interest after that date at the rate of 7 per cent per annum, and if not paid on or before January 15, following, a penalty of 10 per cent on the amount of the assessment shall also be added and collected.

SEC. 3844. Whoever shall without permission of the commissioner use any brand, label, or device authorized by the commissioner, or who shall fail to furnish reports containing information required or within the time specified, or who shall fail to obey any lawful direction of the commissioner given by him in carrying out the provisions of this act, or shall use any raw materials, articles, or substances, forbidden to be used in canning, packing, or preserving vegetables and/or fruits, or shall violate or fail to comply with any of the pro-

visions of this act or the rules or regulations made hereunder, shall be deemed guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$25 nor more than \$100 or by imprisonment for not less than 30 days nor more than 3 months for each offense.

Nonalcoholic Beverages—Manufacture, Bottling, and Sale. (Ch. 42, Act March 12, 1927)

Section 1. Soft drink manufacturers to be licensed.—No person shall manufacture, mix, or compound any soft drinks or other nonalcoholic beverage except apple or fruit ciders, natural fruit juices, or cereal beverages to be sold in bottles, barrels, kegs, jars, coolers, or other containers without first having obtained a license therefor from the dairy and food commissioner, who is charged with the duty and power of administering and enforcing the provisions of this act: Provided, That this act shall not apply to beverages manufactured, mixed, or compounded in quantities of less than 1 quart at one time.

SEC. 2. Must be inspected by dairy and food commissioner.—No soft drinks or other nonalcoholic beverages except apple or fruit ciders, natural fruit pitces, or cereal beverages, not manufactured in this State, shall be sold, offered, exposed, exchanged, or held in possession with intent to sell within this State, unless the same are first inspected and registered with the commissioner.

SEC. 3. Definitions.—Wherever used in this act, the terms "Soft drinks or other nonalcoholic beverages" shall mean and include (a) carbonated or still beverages, (b) natural and mineral waters, carbonated, plain, or otherwise, but shall not include apple or fruit ciders, or natural fruit juices, or cereal beverages.

SEC. 4. Manufacturer shall apply for license—fees.—Any person desiring to manufacture, mix, and compound soft drinks or other nonalcoholic beverages, as described in section 1 hereof, shall apply for a license therefor to the commissioner in such form and furnish such information as he may require. Each application shall be accompanied by a fee of \$24, which shall constitute the license fee in case license is granted, and one-half of which shall be retained to reimburse the State for inspection in case license is refused. If the commissioner shall find that the applicant maintains a proper place and the equipment and containers necessary for the manufacture of soft drinks and other nonalcoholic beverages, as required by this act, and otherwise complies therewith, the commissioner shall issue to the applicant a license therefor.

Sec. 5. Manufacturers from other States to register.—Any person who manufactures soft drinks or other nonalcoholic beverages outside of this State for sale within this State shall apply for registration with the commissioner in such form and furnish such information as he may require. Samples of all soft drinks or other nonalcoholic beverages so manufactured for sale and sold within this State shall be submitted. Each application shall be accompanied by a registration fee of \$24, which shall constitute the registration fee in case registration is granted, and one-half of which may be retained to reimburse the State for inspection should registration be refused. If the commissioner shall find that the samples so submitted are up to accepted standards, and otherwise comply with the laws of this State, then he shall issue to the applicant a certificate of registration.

Sec. 6. Fee for nonresident license.—The fee for such license or certificate of registration shall be \$24 and shall expire on the 31st day of March following its issue, and no license or certificate of registration shall be issued for a longer term than one year, and shall not be transferable from one person to another or from the ownership to whom issued to another ownership or from one place to another place or location: Provided, That no manufacturer now licensed under chapter 432, General Laws of Minnesota for the year 1921, shall be required to apply for a new license until his present license shall expire: And provided further, That a license or certificate of registration issued for a less term than one year, the fee for same shall be computed at the rate of \$2 for each calendar month or fractional part of such month. A penalty of 50 per cent of the license or registration fee shall be imposed if license or certificate of registration is not applied for on or before April 1 of each year, or within the same month such beverages are first manufactured or sold within this State.

SEC. 7. Disposition of fees.—All fees collected hereunder by the commissioner, together with all fines paid for the violation of this act, shall be paid into the State treasury and credited to the beverage inspection fund, hereby created.

The moneys so derived is [sic] hereby appropriated to compensate for and meet the expense of inspection and supervision as provided for in this act. The money so collected and appropriated, known as the beverage inspection fund, shall be expended by the commissioner for inspection, supervision, publications, short courses, and such other activities as in his judgment may be neces-

sary, not inconsistent with the provisions of this act.

SEC. 8. Commissioner to enforce act.—The commissioner shall have power to suspend or revoke any such license or certificate of registration for failure to comply with the provisions of this act, or rules and regulations made hereunder, either temporary or permanent, but before any such permanent revocation of license or certificate of registration shall be made, the commissioner shall serve upon the licensee or certificate holder, by registered letter containing a copy thereof, an order to show cause why the license or certificate of registration should not be permanently revoked, stating the grounds thereof and the time and place of hearing, which time shall not be less than 15 days after the mailing of the order.

At the appointed time and place, and at such times as the matter may be adjourned to, the commissioner shall hear all proper evidence relating to the cause of the proposed revocation, and within a reasonable time thereafter he shall make and file his decision of the matter, and forthwith mail to the licensee

or certificate holder a copy thereof.

The commissioner may temporarily suspend the license of any licensee for violations of this act, regulations made hereunder, or the "Minnesota dairy and food law," but no such temporary suspension shall exceed 30 days, in which time steps may be taken by the commissioner for permanent revocation as above provided.

Any person, whose license or certificate of registration has been so suspended or revoked shall discontinue the manufacture of or sale within this State of any soft drinks or other nonalcoholic beverages, until the suspension is removed

or a new license or certificate is granted.

SEC. 9. Definitions.—A carbonated or still beverage within the meaning of this act shall be a beverage made of pure cane or beet sugar, with pure water, and pure flavoring materials, with or without fruit acids and harmless coloring materials, and the finished product shall contain not less than 7 per cent of sugar and less than one-half of 1 per cent of alcohol by volume. All carbonated or still beverages not conforming to the above requirements, this act, the Minnesota dairy and food law, or the rules, regulations, definitions, and standards made thereunder, shall be deemed to be adulterated.

Sec. 10. Regulation of factories.—All factories, rooms, and places where soft drinks or other nonalcoholic beverages are manufactured, mixed, compounded, and placed in containers shall be well lighted and kept in a clean and sanitary condition; and all machinery, apparatus, and utensils used in the manufacture of such beverages shall be kept clean and sanitary and in a clean and

sanitary place.

SEC. 11. Containers must be clean.—Before being filled with such beverages, all bottles, jars, and coolers shall be sterilized by soaking for a period of not less than five minutes in a solution of not less than 4 per cent of caustic soda or alkali expressed in terms of sodium hydrate, heated to not less than 110° F., and then thoroughly rinsed in pure water until freed from alkali. Jars and coolers before being refilled shall be cleansed and washed as in the manner above prescribed for bottles. When such beverages are marketed in secondhand or used barrels, kegs, or other wooden containers, such containers shall be thoroughly cleansed and coated on the inside with paraffin, pitch, or other suitable material. No beverages shall be placed in containers known as the "Hutchinson plunger bottle" or any container of similar type.

Sec. 12. Unlawful to use certain containers.—It shall be unlawful for any person to place his products in bottles or containers bearing any name blown in the glass or appearing thereon other than the true name of the manufacturer.

SEC. 13. Commissioner to enforce provisions.—The commissioner, his inspectors, assistants, and employees shall enforce the provisions of this act, and in so doing shall have all the powers and authority with relation thereto that is conferred upon them and each of them by chapter 495, general laws for the year 1921, known as the Minnesota dairy and food law, and the provisions of sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18 of said chapter shall be deemed a part thereof in the enforcement of this act and accomplishments of its purposes.

SEC. 14. Penalties for violation.—Any person violating any of the provisions of this act, or of any regulations made hereunder or now in force, shall be guilty of a misdemeanor and be punished by a fine of not less than \$25 or by imprisonment in the county jail for not less than 30 days for the first offense, and in the sum of not less than \$50 or by imprisonment in the county jail for not less than 60 days for each subsequent offense.

SEC. 15. Laws repealed.—Chapter 432, General Laws of Minnesota for the

year 1921, is hereby repealed.

Waters of the State—Powers and Duties of State Board of Health Regarding Pollution of. (Ch. 273, Act April 19, 1927)

Section 1. State board of health to enforce laws against pollution of waters.—
The State board of health is hereby given and charged with the power and duty of administering and enforcing all laws relating to the pollution of any of the waters of this State, whether such pollution affects the public health, livestock, or fish, or other aquatic life.

Sec. 2. Board to investigate.—Said board is hereby authorized and directed to investigate the extent, character, and effect of the pollution of the waters of this State and to gather data and information necessary or desirable in the administration or enforcement of pollution laws, and it may make such classifi-

cation of the waters of the State as it may deem advisable.

SEC. 3. Board to cooperate with other departments.—Said board is hereby specifically authorized to cooperate with other departments of State, other State officers, with municipalities of all kinds, with other States, and with the United States, with industries, societies, corporations, and individuals to the end and purpose of protecting and freeing the waters of the State from

pollution.

Sec. 4. Board may hold hearing.—To carry out the purpose of this act, the State board of health is hereby authorized to hold such hearings or investigations as it may deem advisable, and in any such hearing or investigation any member of said board or the secretary thereof, or any officer or agent of said board, appointed by it to hold such hearing or investigation, shall have the power to subpæna witnesses, to administer oaths, and to compel the production of books, papers, records, and other evidence. Witnesses shall receive the same fees and mileage as in civil actions. Disobedience of any subpæna in such proceeding, or contumacy of a witness, upon application of said board, may be punished by the district court in the same manner as if the proceeding were pending in such court.

Sec. 5. May receive money or other property.—The State board of health, for the purpose of assisting in the performance of its duties hereunder, may receive and accept any money, property, or services, or any form of cooperation from any person, firm, corporation, municipal corporation, the State of Minnesota, or any of its departments or officers, or any other State, or the United States.

SEC. 6. Other departments to furnish assistance.—The commission of administration and finance may, upon request of the State board of health, by order, require any department of State, or State officer, to furnish such assistance to the State board of health in the performance of its duties, or the exercise of its powers hereunder, as the said commission may in said order designate or specify, and with the consent of the department concerned said commission may charge or assign all or part of the cost or expense or amount of such assistance to such departmental fund or appropriation as the commission may deem just and proper.

Municipal Public Water Supplies—Approval by State Department of Health—Posting of Official Signs Showing Approval. (Reg. Bd. of H., December 10, 1927)

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246. Official public water-supply signs may be posted and maintained by any municipality in this State, advising the public that the public water-supply system of such municipality has been approved by the Department of Health of the State of Minnesota as safe for drinking and culinary purposes, by permission of said department, which permission shall be granted and such signs posted and maintained only upon the approval by said department of the water supply of such municipality and upon compliance by such municipality with the conditions hereinafter set forth.

Upon application to said department by any municipality for approval of its water supply and permission to post and maintain such signs, said department shall investigate such water supply. Thereafter, if such approval and permission be given, and as long as such municipality desires to post and maintain such signs, said department shall make each year such investigation or investigation.

gations of such water supply as it may deem necessary.

Such municipality shall maintain its water-supply system in a condition satisfactory to said department, and shall notify said department in advance of any changes which may be contemplated in such system, and shall comply with all regulations and requirements of said department in regard to such changes and the submission to said department of plans therefor, and shall notify said department immediately in case of any injury or damage to such system from any cause which might in any way impair the sanitary quality of the water.

All signs posted and maintained pursuant to this regulation shall be of such form, material, and construction as said department may approve, and such municipality shall maintain the same in good condition, and shall promptly repair or replace any such signs which may be defaced or injured from any

cause.

If any municipality having signs posted in accordance with this regulation shall at any time fail to comply with any of the provisions thereof, said department may thereupon forthwith revoke its approval of the water supply of such municipality and its permission to post and maintain such signs, in which case such municipality shall immediately remove all of such signs. In case any municipality having such signs posted shall desire to discontinue the same, it shall so notify said department and shall remove such signs, and thereafter shall have no further right to post or maintain such signs without making a new application therefor as hereinbefore provided and otherwise complying with all the provisions of this regulation. In case of the repeal of this regulation, all municipalities having signs posted pursuant thereto shall immediately remove the same upon receipt of notice of such repeal.

The posting or maintaining of any water-supply sign of the kind hereinbefore specified, or any similar sign bearing the name of the Minnesota Department of Health or the Minnesota State Board of Health, or any similar name or title which might be taken for the name of said department or board, except in accordance with the provisions of this regulation, is hereby prohibited. Every officer or agent of any municipality and every other person who shall post or maintain, or cause to be posted or maintained, or in any way aid or assist in posting or maintaining, or in causing to be posted or maintained any such sign except in accordance with the provisions of this regulation, or who shall violate any of the provisions of said regulation, shall be deemed guilty of a violation of said regulation and subject to prosecution and punishment therefor

according to law.

Animals Condemned and Killed by State or Subdivision Thereof—Payment of Indemnity When Animals Are Subject to Mortgage or Other Lien. (Ch. 274, Act April 19, 1927)

Section 1. Indemnity for encumbered animals.—Whenever any aminal is condemned and killed by the State of Minnesota or any subdivision thereof, pursuant to law, and indemnity is provided therefor, and such animal is subject to a mortgage or other lien and written notice of such lien is given by the lien holder to the board or officer whose duty it is to order payment of such indemnity, before such indemnity is ordered paid, then such lien shall attach to the indemnity to the same extent that it attached to the animal and the indemnity shall be payable to the owner and the lien holder: Provided, That if the owner and lien holder shall execute and deliver to said board or officer, on blanks to be furnished by said board or officer, a written agreement providing for the distribution and payment of such indemnity, payment thereof shall be made as specified and directed in said agreement, a copy of which agreement shall be transmitted by said board or officer to the officer by whom payment is to be made; otherwise said indemnity shall be placed in the custody of the district court of the county in which the animal was condemned, in the manner provided by section 9262, general statutes, 1923, for the deposit of moneys claimed adversely by two or more persons, and the State or subdivision thereof shall be relieved from further liability on account thereof.

Diseased Animals—Transportation and Disposal of Carcasses—Running at Large Prohibited. (Ch. 218, Act April 14, 1927)

SECTION 1. Disposition of carcasses.—That section 10273, general statutes,

1923, be amended to read as follows:

10273. Every person owning or having in charge any domestic animal that has died or been killed on account of disease shall immediately bury the carcass thereof at least 3 feet deep in the ground or cause the same to be consumed by fire: Provided, however, That the livestock sanitary board, through its secretary and executive officer, may issue a permit to owners of rendering plants, provided such rendering plants are operated and conducted as required by law, to remove carcasses of domestic animals and fowl that have died or have been killed on account of disease over the public highways to their plants for rendering purposes in accordance with the rules and regulations adopted by the livestock sanitary board relative to transportation, rendering, and all other provisions deemed by said board to be necessary to prevent the spread of disease. No person shall sell or offer to sell or give away such carcass when the animal died or was killed on account of disease, nor convey the same along any public road or upon any land not his own, unless in accordance with a special permit as hereinbefore provided. Nor shall any person negligently or willfully permit diseased animals owned or controlled by him to escape his control or to run at large. Every violation of any provision of this section shall be a misdemeanor.

Metropolitan Drainage Commission—Appointment, Powers, and Duties— Expenses of. (Ch. 181, Act April 14, 1927)

Section 1. Metropolitan drainage commission authorized—Appointments.—Whenever it shall appear that two or more cities of the first class are disposing of sewage into any natural watercourse which in whole or in part flows through or adjacent to two or more of such cities, the governor shall appoint a metropolitan drainage commission. Such commission shall consist of two representatives from each such city, and one person to be selected by the governor. Within 30 days after taking effect of this act, the city council or other governing body, and the mayor of each such city, shall each select one person and certify their names to the governor, and the governor shall, within 10 days after the last of said nominations has been so certified to him, appoint said persons so certified, together with the person selected by him, as the members of such drainage commission. If the city council, or the mayor, of either of said cities of the first class shall fail to certify to the governor within the time specified herein the names of the persons selected by them as members of the commission, the governor shall thereupon appoint such members. In his order appointing such commission, the governor shall declare what cities shall be included within the jurisdiction of such drainage commission and shall

fix the time and place for the first meeting of the commissioners.

SEC. 2. Oath of office-Compensation.-Each appointee, before entering upon the duties of his office, shall take and subscribe the oath of office prescribed by section 8 of Article V of the constitution and file the same with the secretary of state, duly certified by the official administering such oath. Each commissioner shall be reimbursed the actual necessary expenses incurred in the performance of his duties, but shall receive no salary or compensation for his services. If a vacancy shall occur on the commission of a representative of any city, the city council or the mayor of such city, as the case may be, shall certify his successor to the governor in the same manner as in the case of an original selection, and the governor shall appoint such nominee for the unexpired term. If the city council or the mayor of either of said cities of the first class shall desire at any time to remove its or his representative on said commission, either may request the governor, in writing, to remove such representative and to appoint a successor, who shall be named in said written request. The governor shall thereupon appoint the person so requested to be appointed. Any person so appointed shall become a member of said commission as soon as he qualifies, and the term of the commissioner in whose place he is appointed shall thereupon be terminated. A vacancy occurring in the office of the commissioner appointed by the governor shall be filled by the governor.

Sec. 3. Quorum—Meetings.—A majority of the commissioners shall constitute a quorum for the transaction of business. As soon as the commissioners first appointed under this section enter upon the duties of their office, they shall

organize by electing one of their members chairman and one a vice chairman, both of whom shall hold office at the pleasure of the commissioners. The chairman shall preside over all meetings of the commission, and shall perform such other duties as are imposed upon him by this section or that may be assigned to him by the commission. In the absence or disability of the chairman, the vice chairman shall perform the duties and exercise the powers of the chairman. The commission shall appoint a secretary, who may or may not be a member of the commission, who shall be removable at pleasure by the commission, and who shall receive, if not a member of such commission, such compensation as

the commission may determine.

Sec. 4. Rules and regulations.—The metropolitan sewage commission shall hold meetings and shall make rules and regulations governing the transaction of its business. All sessions or meetings of said commission shall be public, and all records shall be public records. The commission shall prepare annually a full and detailed report of its official transactions and expenses, and shall mail such statement to the governor of the State, the State board of health, the mayor, and the city council or other governing body of each such city of the first class. It may likewise, in its discretion, make other and supplemental reports from time to time, and transmit the same as in the case of its annual report. Said commission shall not have any jurisdiction to investigate or report as to whether or not any assessment for the cost of sewage disposal shall be borne by any territory, county, city, village, or township lying outside of the boundaries of the counties within which are situate said cities of the first class.

SEC. 5. Powers.—The said metropolitan drainage commission shall have full power to study the subject of sewage disposal and treatment, to make surveys and collect data relating to the methods which might be used in disposing or such sewage or of treating the same so as to protect such water course from pollution, as well as any other water courses or bodies of water lying within the drainage area of which such cities are a part. Said commission shall have power and authority to employ engineers, sanitary experts, and such other skilled or technically trained persons as it deems advisable, and shall have power and authority to employ the necessary clerical and office assistants, and to incur

such other expenses as may be necessary to carry on its work.

SEC. 6. Expenses-Apportionment-Tax levy.- The expenses of said commission during the year 1927 shall not exceed the sum of \$30,000, and the annual expense thereafter shall not exceed the sum of \$50,000. The expenses of said drainage commission shall be apportioned among the cities affected in the same proportion as the last assessed valuation of the real and personal property in each city, excluding moneys and credits, bears to the said total assessed valuation in all such cities. On or before August 1 of each year the commission shall transmit to each of such cities an estimate of its expenditures for the ensuing calendar year, and each city shall include in its budget a tax levy for such year in an amount equal to its proportionate share of such estimated expenditures. The city treasurer of each such city shall pay the proceeds of such assessment to the State treasurer for the credit of said commission, and said State treasurer shall, from time to time, against said fund, pay warrants or checks as authorized by said commission and signed by the chairman and secretary thereof. The amounts of money paid by any city to the credit of said metropolitan drainage commission, under the terms of this act, shall be excluded from any computation of the costs of government of such city under the terms of its charter limiting its governmental expenditures or cost of government.

Sec. 7. Estimate of expenditures.—In order to provide funds for the expenses of said commission for the year 1927, after said commission shall organize, it shall transmit to each of such cities an estimate of its expenditures for the year 1927, and each such city shall thereupon, through its proper officers, pay its proportionate share to the State treasurer for the credit of said commission; or in the event any such city has not on hand funds available to meet its said proportionate share, it is hereby authorized to borrow the same and to pledge the credit of such city to the repayment of the indebtedness so created. Any obligation so incurred shall be authorized by vote of its governing board, and any such obligation shall be signed by the mayor and the city clerk under the city corporate seal, shall bear interest at not to exceed 5 per cent per annum, and shall be payable not more than one year from its date. Such obligation shall be sold in the manner provided by section 1943 of the general statutes of 1923.

Sewage-Disposal Plants-Construction by Certain Fourth-Class Cities Authorized. (Ch. 85, Act March 23, 1927)

SECTION 1. Construction of sewage disposal plant authorized.—The governing body of any city of the fourth class in the State of Minnesota operating under home rule charter pursuant to the provisions of section 36, article 4, of the State constitution, is hereby authorized and empowered for the purpose herein designated to issue the negotiable bonds of such city to an amount authorized by such city council; said bonds to be made in such denomination and payable at such places and at such times, not exceeding 30 years from the date thereof, as may be deemed best, to mature serially, and to bear interest at the rate not to exceed 6 per cent per annum, payable semiannually, with interest coupons attached, payable at such place or places as shall be des gnated therein.

Provided that no such bonds shall be sold for less amount than the par value

thereof and accrued interest thereon.

Provided also that such bonds shall be issued, negotiated, and sold in accordance with the particular method prescribed by the charter of the city so

issuing such bonds.

Provided further also, that the bonds authorized by this act or any portion thereof may be issued and sold by any such city, notwithstanding any limitations contained in the charter of such city or in any law of this State prescribing or fixing any limit upon the bonded indebtedness of such city.

SEC. 2. Bonds-Tax levy.-The full faith and credit of any such city shall at all times be pledged for the payment of any bonds issued under this act and for the payment of the current interest thereon, and said governing body of such city shall each year include in the tax levy a sufficient amount for the payment of such interest as it accrues, and for the accumulation of a sinking fund for

the redemption of such bonds at their maturity.

SEC. 3. Bonds-Issue-Sale.-All bonds issued under the authority of this act shall be sealed with the seal of the city issuing the same and signed by the mayor and attested by the city clerk, except that the signatures to the coupons attached to such bonds, if any, may be lithographed thereon. The sale of such bonds shall be in such manner and in such proportions of the whole amount authorized by this act and at such times as may be determined by the said governing body of such city.

Sec. 4. Use of proceeds.—The proceeds of any and all bonds issued and sold

under authority of this act shall be used only for the purpose of constructing a

sewage disposal plant for such city.

SEC. 5. Not to affect existing laws.-Nothing herein contained shall be construed to repeal or modify the provisions of any charter adopted pursuant to section 36, article 4, the constitution of this State, requiring the question of the issuance of bonds to be submitted to the vote of electors.

SEC. 6. Additional powers granted.—The powers granted in this act are in

addition to all existing powers of such cities.

Easements for Sewers and Sites for Filtration Plants-Power of Creamery Associations to Condemn Lands for. Sewers and Filtration Plants for Disposal of Sewage and Refuse of Creamery Associations—Supervision of Establishment, Maintenance, and Operation. (Ch. 179, Act April 14, 1927)

Section 1. Creamery associations to have right of eminent domain in certain cases .- Any creamery association, now or hereafter organized in the State of Minnesota, shall have the right, power, and authority to condemn lands under the right of eminent domain for easements for sewers and sites for filtration plants to take care of all sewage and refuse made in the operation of its business, and said power and authority shall be exercised under and pursuant to the terms and provisions of chapter 41, general statutes, 1923, and acts amendatory thereof and supplemental thereto.

SEC. 2. To be under supervision of board of health .- The establishment of any such sewers or any such filtration plants or both for such purposes and their maintenance and operation shall be under the supervision of the chairman of the board of health of the town, village, or city in which such association has

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its operating plant.

Deaths—Registration—Contents of Death Certificates. (Ch. 156, Act April 12, 1927)

SECTION 1. Certificate of death—by whom obtained and filed—contents.—That section 5357, general statutes, 1923, as amended by chapter 190, laws, 1925, be,

and the same hereby is, amended so as to read as follows:

5357. The undertaker or person acting as such, at the burial, cremation, or other disposal of the body of any person dying in this State, shall obtain and file with the local registrar of the district in which the death occurs a certificate of death containing:

- (a) A statement authent cated by the signature of some person cognizant of the facts, specifying: (1) Place of death, including state, county, city, village or town, with the name of the street and house number, or in lieu thereof, the name of the hospital or other private, public, or State institution, if in such institution. If in an industrial or mining camp, or mine, the name of the camp or mine.
- (2) Full name of deceased. If an unnamed child the surname preceded by "unnamed."

(3) Male or female.

(4) Co'or or race—as white, colored, Indian, Chinese, or other.

(5) Single, married, widowed, or divorced.

(6) Date of birth, including year, month, and day.

(7) Age in years, months, and days. If less than 1 day, the hours or minutes.
(8) Occupation. If the person had any remunerative employment, statement of the trade, profession, or particular kind of work, or the general nature of the industry or business engaged or employed in.

(9) Birthplace; State or foreign country.

- (10) Name of father, provided that if the deceased was of illegitimate birth the name or residence of, or other identifying details relating to the putative father shall not be entered without his consent, except as provided in section 5365A.
 - (11) Birthplace of father; State or foreign country.

(12) Maiden name of mother.

(13) Birthplace of mother; State or foreign country.

In addition the said undertaker or person acting as such shall obtain and report in the monthly report to the State registrar provided for in section 5360, general statutes, 1923, as amended by chapter 190, session laws, 1925, information as to whether the deceased ever served in the military or naval forces of

the United States.

(b) A medical certificate subscribed by the attending physician together with his address and date of making, stating fact and time of death, giving year, month, day, and hour; time of attendance; when last seen alive; the disease or injury causing death, with contributory cause or complication and the duration of the illness; if from violence, the means and circumstances of the injury and whether indicating accident, suicide, or homicide: Provided, That the medical certificate shall be made and subscribed by the coroner whenever the cause of death is investigated by him: Provided further, That in cities of the first, second, and third class the health officer, and in towns, villages, and cities of the fourth class the local registrar, or a subregistrar, shall make and subscribe the medical certificate for any death occurring therein without medical attendance or investigation by the coroner. If the local registrar, or subregistrar, is unable to determine the cause of death he shall refer the case to a physician, or to the coroner, for certification.

(c) When the death occurs in a hospital or other institution or place other than the home of the deceased, a statement of the length of time at the place of death, length of time in the State, usual place of residence, and where the

disease was contracted.

(d) A statement showing place and date of burial signed by the undertaker with his address.

(e) In the case of a child dead at birth, a certificate of birth having the word "stillbirth" inserted in place of the name and also a certificate of death shall be made and filed with the local registrar, and a burial permit issued as hereinafter provided. The medical certificate shall be signed by the attending physician and shall state the cause of death as "stillborn" with the cause of the stillbirth, whether a premature birth, and if so, the period of uterogesta-

tion in months: Provided, That a certificate of birth or death shall not be required for a child that has not advanced the fifth month of uterogestation.

(f) In cases of stillbirths occurring without an attending physician the medical certificate shall be made and subscribed as is herein provided in case

of death without medical attendance.

(g) Whenever the State registrar shall receive a death certificate which is incomplete or inaccurate, he shall endeavor to secure information relative to any errors or omissions, and shall make corrections on the original in red ink when additional information is secured: Provided, That whenever a certified copy of any such corrected death certificate is issued, the corrections shall be shown on the certified copy in red and the provisions of this act shall be printed or typed on the form used for such certification.

(h) Whenever it satisfactorily appears to the State registrar that a death record contains errors or omissions or is false in some respect he may attach

a statement of the true facts to the same.

Embalmers-License. (Ch. 305, Act April 19, 1927)

Section 1. License—Examination by State board of health—Fee—Qualification—Renewal.—That sections 5817, 5818, 5819, and 5820, general statutes, 1923,

are hereby amended so as to read as follows:

5817. No person shall embalm any dead human body or practice embalming in the State of Minnesota without being licensed by the State board of health, as hereinafter provided. All persons shall be said to practice embalming, within the meaning of this act who shall embalm dead human bodies or who shall take charge of the remains of those dead of a communicable disease, or prepare dead human bodies for shipments, or hold himself out to do any of the above acts by advertising or any other means.

5818. The State board of health of the State of Minnesota is hereby authorized and empowered to examine all applicants for license to practice embalming and to determine whether or not such applicants possess the necessary qualifications to practice embalming; and if upon such examination said board shall determine that such applicant is properly qualified to practice embalming it shall grant a license to such person to practice embalming for a period ending

the 31st day of July following.

5819. The applicant for an examination for license shall at the time of application pay a fee of \$10. No person shall be granted any such license unless he shall, in addition to other qualifications, be at least 21 years of age, of good moral character, and shall have for at least one year had practical experience in embalming: Provided, That any holder of a license issued by State authority in any other State maintaining a system and standard of examination for license to engage in the business or practice of embalming, which in the judgment of the board shall be substantially the equivalent of that required in this State for the issuance of a license therefor, may obtain a license from the board without examination in the discretion of the board upon payment of an application fee of \$25 and upon proof of good moral character, which said license shall be valid only until the following 31st day of July.

5820. Any license may be renewed from time to time and shall be in force after such renewal for a period of two years from the 31st day of the preceding July upon the payment of a renewal fee of \$2. All license fees, including renewals. shall be paid into State treasury and be available for paying the expense incident to carrying out the provisions of the act requiring the licens-

ing of embalmers.

Noxious Weeds-Destruction. (Ch. 194, Act April 14, 1927)

[This act amends section 3 and subsection (a) of section 5 of chapter 377,

laws, 1925, to read as follows:]

SEC. 3. Except as herein otherwise specifically provided, it shall be the duty of every occupant of land, or if the land is unoccupied, the owner thereof or his duly accredited resident agent, to cut down, otherwise destroy, or eradicate all noxious weeds of Class I and Class II, and grasses standing, being or growing upon such land, in such manner and at such time as may be directed or ordered by the commissioner or by a local weed inspector having jurisdiction.

SEC. 5. (a) It shall be the duty of the State highway commissioner at the cost of the State trunk highway maintenance fund and the duty of the public

authorities charged with the maintenance of other public highways at the cost of their respective road funds annually to cause all noxious weeds of both Class I and Class II growing, being or standing on all State trunk highways and other public highways, respectively, not within the limits of a municipality, to be cut down, otherwise destroyed or eradicated between the 15th day of May and the 15th day of October next following, as often as may be necessary to prevent the ripening or scattering of seed, and in such manner as may be directed or ordered by the commissioner or by the local weed inspector having jurisdiction.

Barbering—Applicants for Certificate of Registration as Barber or Apprentice Must be Free from Communicable Disease—Refusal to Issue, Refusal to Renew, Suspension, or Revocation of Certificate of Registration—Use of Certain Places for, Regulated—Sanitary Requirements—Inspection of Barber Shops and Schools—Persons Having Communicable Disease Not to be Served. (Ch. 316, Act April 20, 1927)

SEC. 5. Who may receive certificates.—A person is qualified to receive a certificate of registration to practice barbering;

3. Who is * * * free from any contagious or infectious diseases;

Sec. 6. Who may receive certificates as registered apprentice.—A person is qualified to receive a certificate of registration as a registered apprentice;

2. Who is * * * free from any contagious or infectious diseases;

Sec. 16. Causes for revocation.—The board [of barber examiners] may either refuse to issue or renew, or may suspend or revoke any certificate of registration for any one or combination of the following causes:

(b) Continued practice by a person having an infectious or contagious disease.

(d) Habitual drunkenness or habitual addiction to the use of morphine, cocaine or other habit-forming drugs.

SEC. 19. Violations.—Each of the following constitutes a misdemeanor:

(f) The use of any room or place for barbering which is also used for residential or business purposes (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, candies in original package, and such commodities as are used and sold in barber shops), unless a substantial partition of ceiling height separates the portion used for residential or business purposes, except that a barber shop and beauty parlor may be operated in conjunction, without the same being separated by a partition of ceiling height.

(g) The failure or refusal by any barber or other person in charge of any barber shop or any person in barber schools or colleges doing barbering service work to use separate and clean towels for each customer or patron, or to discard

and launder each towel after once being used.

(h) The failure or refusal by any barber or other person in charge of any barber shop or barber school or barber college to supply clean hot and cold water in such quantities as may be necessary to conduct such shop or the barbering service of such school or college in a sanitary manner, or the failure or refusal of any such person to have water and sewer connections from such shop or barber school or college with municipal water and sewer systems where the latter are available for use, or the failure or refusal of any such person to maintain a receptacle for hot water of a capacity of not less than 5 gallons.

Sec. 23. Board to make rules and regulations.—The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary requirements for barber shops and barber schools, subject to the approval of the State board of health. Any member of the board or its agents or assistants shall have authority to enter

upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations adopted by the board shall be furnished by the board to the owner or manager of each barber shop and barber school, and such copy shall be posted in a conspicuous place and in such barber shop or barber school.

Sec. 24. Not to serve certain persons.—No person practicing the occupation of a barber in any barber shop, barber school, or college in this State shall knowingly serve a person afflicted in a dangerous or infectious state of the disease with erysipelas, eczema, impetigo, sycosis, tuberculosis, or any other contagious or infectious disease. Any person so afflicted is hereby prohibited from being served in any barber shop, barber school, or college in this State. Any violation of this section will be considered a misdemeanor as provided for in this act.

Sec. 25. Provisions separable.—If any portion of this act is declared unconstitutional by a court of competent jurisdiction it shall not affect the validity of the remainder of the act which can be given effect without the invalid portion.

Sec. 26. Laws repealed.—Session laws, 1921, chapter 424; session laws, 1925, chapter 252; and sections 5823 to 5846, both inclusive, of General Statutes of Minnesota, 1923, and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 27. Effective July 1, 1927.—This act shall become effective from and after July 1, 1927.

Hairdressing and Beauty Culture—Sanitary Requirements—Applicants for License as Operator Must Be Free from Communicable Disease—Persons Having Certain Diseases Not to Be Served—Revocation or Suspension of License. (Ch. 245, Act April 16, 1927)

SEC. 2. * * * (d) Hairdressing and beauty culture shall be practiced or taught only in a room or rooms not used for sleeping or residential purposes and such room or rooms must be equipped with hot and cold running water and with sewer connections. Where water and sewer connections are not available there must be maintained a proper receptacle for hot water of a capacity of not less than 5 gallons, and such cesspool or other method for the disposal of sewage and waste matter as may be approved by the local health authorities or local municipal ordinances.

SEC. 8. Duties of board—license fees.—The board [State board of hairdressing and beauty culture examiners] shall determine the sufficiency of the preliminary qualifications of the applicants for admission to examinations for license or qualifications for license. The following preliminary qualifications shall be sufficient:

(a) An operator may be licensed as such under this act * * * provided he is * * * free from contagious or infectious diseases, * * * *

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Sec. 12. Health and sanitary rules.—In the conduct and operation of a hair-dressing and beauty culture shop or school the following health and sanitary rules shall be complied with:

(a) All premises and contents thereof shall be maintained in a clean and sanitary condition.

(b) Hairbrushes, combs, and any and all instruments used must be cleaned and sterilized after using on each customer or patron.

(c) Each and every operator, manager-operator, or student of and in any hairdressing and beauty culture shop or school shall use separate and clean towels for application upon each customer or patron, and shall wash their hands with soap and hot water and clean their finger nails before working upon each customer or patron. No towel or other linen shall be used upon more than one customer or patron until freshly laundered.

(d) No operator, manager-operator, or student shall knowingly work upon or permit any person to be served in any of the hairdressing and beauty culture practices in any shop or school who is affleted in a dangerous or infectious stage of erysipelas, eczema, impetigo, or other visible skin diseases.

SEC. 14. Must make application .- All persons who have been engaged in the practice of hairdressing and beauty culture in this State for a period of six months or more prior to the passage of this act shall, within 60 days after the passage of this act, make application in writing to the said board, upon a form to be prepared and supplied by said board, for a license as an operator form to be prepared and supplied by said board, as a fixeness as an operator, or if qualified for a license as a manager-operator, as provided for in this act. All such applicants shall be required to furnish proof that they are free from any contagious or infectious disease * * *

SEC. 16. Additional powers of board .- The said board shall have the follow-

ing additional powers:

(b) It may revoke or suspend licenses, upon proof of violation of the rules and regulations herein set forth, for practicing while having any contagious

or infectious diseases, * * *
Sec. 20. Limitations.—That nothing contained in this act, notwithstanding any provision contained in subdivision (d) of section 2, shall be construed to prohibit a licensed operator under the provisions of this act who has had experience and practice for a period of one year or more from engaging in the practices as defined in this act in the homes of customers or patrons under such sanitary and health rules and regulations as may be prescribed and set down by the State board of health and the board provided for herein.

SEC. 21. Violation a misdemeanor.—Any person who violates any of the

provisions of this act shall be guilty of a misdemeanor.

SEC. 22. Inconsistent acts repealed .- All acts or parts of acts in conflict here-

with are hereby repealed.

SEC. 23. Effective July 1, 1927 .- This act shall take effect and be in force from and after July 1, 1927.

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Milk and Milk Products—Production, Handling, and Sale. (Reg. Bd. of H., July 18, 1927)

SECTION 1. Definitions.—The following definitions shall apply in the interpre-

tation and the enforcement of these regulations:

(A) Milk: Milk is hereby defined to be the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free; which contains not less than 8½ per cent of solids not fat, and not less than 3½ per cent of milk fat.

(B) Milk fat or butterfat: Milk fat or butterfat is the fat of milk and has a Reichert-Meissel number of not less than 24 and a specific gravity of not less

than 0.905 (40 degrees C./40 degrees C.).

(C) Cream: Cream, sweet cream, is that portion of milk, rich in milk fat which rises to the surface of milk on standing or is separated from it by centrifugal force, is fresh and clean, and which contains not less than 18 per cent preferably 20 per cent of milk fat; provided that cream having less than 18 per cent milk fat should be known as substandard cream.

Cream having less than 30 per cent milk fat shall be known as light cream. Cream having 30 per cent or more and less than 40 per cent milk fat shall be known as heavy cream, and cream having 40 per cent or more milk fat shall be

known as extra-heavy cream.

Whipping cream and manufacturing cream are creams containing not less than 30 per cent milk fat intended for whipping or manufacturing purposes, and the grades of same shall not be based on bacterial count.

(D) Skimmed milk: Skimmed milk is milk from which substantially all the

milk fat has been removed.

(E) Chocolate milk: Chocolate milk is defined as whole or adjusted as skimmed milk to which has been added in a sanitary manner a chocolate syrup composed of wholesome ingredients, and which is labeled with the grade of milk or milk products from which it is made. If chocolate milk contains less than 3½ per cent milk fat, the label shall indicate the percentage of milk fat to which the milk has been adjusted.

(F) Buttermilk: Buttermilk is the product which remains when milk fat is removed from milk or cream, sweet or sour, in the process of churning. It con-

tains not less than 8.5 per cent of milk solids not fat.

(G) Cultured buttermilk: Cultured buttermilk is the product resulting from the souring or treatment by a lactic acid culture of milk or milk products.

- (H) Evaporated milk (unsweetened): Evaporated milk (unsweetened) is milk from which a considerable portion of water has been evaporated and which contains not less than 25.5 per cent of milk solids and not less than 7.8 per cent milk fat.
- (I) Condensed milk (sweetened): Condensed milk (sweetened) is milk from which a considerable portion of water has been evaporated, to which sugar has been added, and which contains not less than 28 per cent of milk solids and not less than 8 per cent milk fat.

(J) Condensed skimmed milk: Condenser skimmed milk is skimmed milk from which a considerable portion of water has been evaporated, and which

contains not less than 20 per cent of milk solids.

(K) Powdered (dried) whole milk: Powdered whole milk is milk from which substantially all the water has been removed, and which contains not less than 26 per cent of milk fat and not more than 5 per cent of moisture.

(L) Powdered (dried) skimmed milk: Powdered skimmed milk is skimmed milk from which substantially all the water has been removed and which contains not more than 5 per cent of moisture.

(M) Recombined milk: Recombined milk is a substance produced by recombining powdered whole milk, powdered skimmed milk, condensed or evaporated whole milk, or skimmed milk, and milk fat, with water, and shall conform in milk-fat percentage and bacterial counts to the provisions of these regulations relating to milk.

(N) Milk products: Milk products shall be taken to mean and include cream, skimmed milk, adjusted milk, buttermilk, cultured buttermilk, evaporated milk (unsweetened), condensed milk (sweetened), condensed skimmed milk, pow-

dered whole milk, powdered skimmed milk, and recombined milk.

(O) Pasteurization: The terms "pasteurization," "pasteurized," "pasteurand similar terms shall be taken to refer to the process of heating every particle of milk or milk products to a temperature of not less than 145° F., and holding at such temperature for not less than 20 minutes in pasteurization apparatus approved by the State board of health, the temperature and time being automatically recorded by a temperature and time recording device approved by the State board of health.

(P) Adulterated milk and milk products: Any substance claimed to be any milk or milk product defined in these regulations but not conforming with the definitions as given in these regulations shall be deemed adulterated and

(Q) Milk producer: A milk producer is any person, firm, or corporation which owns or controls one or more cows, a part or all of the milk from which is for sale or sold or delivered to another person, firm, or corporation.

(R) Milk distributor: A milk distributor is any person, firm or corporation which has in possession, offers for sale, sells, or delivers to another any milk or milk products for consumption or manufacturing purposes.

(S) Dairy or dairy farm: A dairy or dairy farm is any place or premises where one or more cows are kept, a part or all of the milk or milk products

from which is sold or delivered to any person, firm, or corporation. (T) Milk plant: A milk plant is any place, or premises, or establishment where milk or milk products are collected, handled, processed, stored, bottled, pasteurized, or prepared for distribution.

(U) Health officer: The health officer shall be taken to mean the health officer deputized by the State board of health for the enforcement of these

regulations in the respective cities or his authorized representative.

(V) Average bacterial count: Average bacterial count shall be taken to mean the average of the bacterial counts of all samples taken during the grading

period, including at least four samples taken upon separate days.

(W) Grading period: The grading period shall be such period of time as the health officer may designate, within which grades shall be determined for all milk and cream supplies, provided that the grading period shall in no case exceed six months.

(X) Disinfectant: A disinfectant is any germicidal substance approved by

the health officer.

SEC. 2. The sale of adulterated or misbranded milk or milk products prohibited .- No person, firm, association, or corporation shall within the State of Mississippi produce, sell, offer or expose for sale, or have in possession with intent to sell any milk or milk product which is adulterated or misbranded.

Sec. 3. Permits.—It shall be unlawful for any person, firm, association, or corporation to bring into or receive into the State of Mississippi, for sale, or to sell, or offer for sale therein, or to have on hand any milk or milk product, excepting evaporated milk, condensed milk, condensed skimmed milk, powdered whole milk, and powdered skimmed milk, who does not possess an unrevoked permit from the health officer, and on whose vehicles or in whose place of business there does not appear in a conspicuous place a placard showing the permit number in figures at least 3 inches high and 1½ inches wide.

Such a permit may be revoked by the health officer upon the violation by the holder of any of the terms of this or any other health regulation of the State board of health, provided that the holder of said permit shall, after complying with such revocation, have the right of appeal to the health officer.

Sec. 4. Labeling and placarding.—All bottles, cans, packages, and other containers inclosing milk or any milk product defined in these regulations shall be plainly labeled or marked with (1) the name of the contents as given in the definitions in these regulations; (2) the grade of the contents if said contents are graded under the provisions of these regulations; (3) the word "pasteurized" if the contents have been pasteurized; (4) the word "raw" if the contents are raw; (5) name of producer or distributor. The label or mark shall be in leters of a size and kind approved by the health officer and shall contain

no marks or words not approved by the health officer.

Every grocery store, restaurant, café, soda fountain, or similar establishment selling or serving milk shall display at all times in a place designated by the health officer, a card furnished by the health officer, stating the grade of the milk at the time when delivered and whether same is raw or pasteurized, and including the following statement: "The safest grade of milk is grade A pasteurized."

Sec. 5: Inspection of dairy farms and milk plants for the purpose of grading or regrading.—At least once during each grading period the health officer shall inspect every dairy farm producing milk or cream for consumption within his respective city, and all milk plants whose milk or cream is intended for consumption within his respective city. In case the health officer discovers the violation of any item of sanitation, he shall make a second inspection after a lapse of such time as he deems necessary for the defect to be remedied but not before the lapse of three days, and the second inspection shall be used in determining the grade of milk or cream. Two violations of these regulations within any one grading period shall call for immediate de-grading.

One copy of the inspection report shall be posted by the health officer in a conspicuous place upon an inside wall of one of the dairy farm or milk plant buildings, and said inspection report shall not be removed by any person except the health officer. Another copy of the inspection report shall be filed with the

records of the health department.

SEC. 6. The testing of milk and milk products.—During each grading period at least four samples of milk or cream from each dairy farm and each milk plant shall be tested by the health officer. Samples of milk and cream from stores, cafés, soda fountains, restaurants, and other places where milk products are sold shall be tested as often as the health officier may require. Bacterial counts shall be made in conformity with the plate-count method of the standard methods recommended by the American Public Health Association. Tests may include such other chemical and physical determinations as the health officer may deem necessary for the detection of adulteration. Notices of bacterial counts shall be given to the producer or distributor concerned as soon as made, or to any interested person on request. Samples may be taken by the health officer at any time prior to the final delivery of the milk or milk products. All stores, cafés, restaurants, soda fountains, and other similar places shall furnish the health officer, upon his request, with the name of the milk d stributor from whom their milk is obtained.

SEC. 7. The grading of milk and cream.—At least once every six months the health officer shall announce through the press the grades of all milk and cream supplies delivered by all producers or distributors and ultimately consumed within his respective city. Said grades shall be based upon the following standards, the grading of cream being identical with the grading of milk:

Certified milk: Certified milk is milk which is produced in accordance with the "Methods and standards for the protection of cert fied milk" adopted by

the American Association of Medical Milk Commissions.

Grade A raw milk: Grade A raw milk is milk the average bacterial count of which as determined under section 6 of these regulations does not exceed 50,000 per cubic centimeter, and which is produced upon dairy farms conforming with

all of the following items of sanitation:

Cows—(1) Tuberculosis and other diseases: A physical examination and tuberculin test of all cows shall be made before any milk therefrom is sold, and at least once every 12 months thereafter by a veterinarian approved by the State livestock sanitary board, and said tests shall be made, and any reactors disposed of, in accordance with the current requirements approved by the Unted States Bureau of Animal Industry for accredited herds.

A certificate signed by the veterinarian and filed with the health officer shall be the only valid evidence of the above test. Every diseased animal shall be removed from the herd at once and no milk from diseased cows shall be offered for sale. All reacting animals shall be isolated at once and immediately excluded from the premises. All animals failing to pass the T. B. test shall be branded with the letters "T" or "TB" on the shoulder, hip, or jaw, and removed at once and slaughtered under the direction of the health officer. Each letter in the brand shall be not less than 2 inches high and 1½ inches wide.

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Dairy barns-(2) Lighting: Such sections of all dairy barns where cows are kept or milked shall have at least 3 square feet of window space for each

(3) Air space: Such sections of all dairy barns where cows are kept or milked shall have at least 500 cubic feet of air space per stanchion and shall

be well ventilated.

(4) Floors: The floors and gutters of such parts of all dairy barns in which cows are kept or milked shall be constructed of concrete or other equally impervious and easily cleaned material approved by the health officer and shall be graded to drain properly, and shall be kept clean and in good repair. No horses, pigs, fowls, etc., shall be permitted in parts of the barn used for dairy

(5) Walls and ceilings: The walls and ceilings of all dairy barns shall be whitewashed once each year or painted once every two years, or finished in a manner approved by the health officer, and shall be kept clean and in good repair. In case there is a second story above that part of the barn in which

cows are kept or milked, the ceiling shall be tight.

(6) Cow yard: All cow yards shall be graded and drained as well as practicable and kept clean.

(7) Manure disposal: All manure shall be removed and stored or disposed

of in such manner as best to prevent the breeding of flies therein.

Milk house or room-(8) Construction: There shall be provided a separate milk house or milk room for the handling and storage of milk and the washing and sterilizing of milk apparatus and utensils, provided with a tight floor constructed of concrete or other impervious material and graded to provide proper The walls and ceilings of the milk house or room shall be of such construction as to permit easy cleaning, and shall be painted at least once each year or finished in a manner approved by the health officer. The milk house or room shall be well lighted and ventilated and all openings effectively screened to prevent the entrance of flies, and shall be used for no other purpose than the handling and storage of milk or milk products and other operations incident thereto. The cleaning and other operations shall be so located and conducted as to prevent any contamination one to the other. The milk room shall not open directly into the barn or into any room used for sleeping or domestic purposes

(9) Cleanliness and flies: The floors, walls, ceilings, and equipment of the milk house or room shall be kept clean at all times. All means necessary for

the elimination of flies shall be used.

(10) Toilet: Every dairy farm shall be provided with a sanitary toilet constructed and operated in accordance with the regulations of the State board of health.

(11) Water supply: The water supply shall be easily accessible, adequate,

and of a safe sanitary quality.

Utensils—(12) Construction: All containers or utensils used in the handling or storage of milk or milk products must be made of nonabsorbent material and of such construction as to be easily cleaned, and must be in good repair. Joints and seams shall be soldered flush. All milk pails shall be of a narrow-mouth design approved by the health officer.

(13) Cleaning: All containers and other utensils used in the handling, storage, or transportation of milk and milk products must be thoroughly cleaned

after each usage.

(14) Sterilization: All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall between each usage be sterilized with steam or chlorine or in a manner approved by the State board of health.

(15) Storage: All containers and other utensils used in the handling, storage, or transportation of milk or milk products shall be stored so as not to

become contaminated before again being used.

(16) Handling: After sterilization no container or other milk or milk product utensil shall be handled in such manner as to permit any part of the person or clothing to come in contact with any surface with which milk or milk products come in contact.

Milking—(17) Udders and teats: The udders and teats of all milking cows

shall be clean at the time of milking.

(18) Flanks: The flanks of all milking cows shall be kept free from visible dirt at the time of milking.

(19) Milkers' hands: Milkers' hands shall be clean, rinsed with a disinfectant, and dried with a clean towel immediately before milking. Should the milking operation be interrupted, the milkers' hands must be redisinfected. Wet-hand milking is prohibited. Convenient facilities shall be provided for the washing of milkers' hands.

(20) Clean clothing: Milkers and milk handlers shall wear clean outer

garments while working.

(21) Milk stools: Milk stools shall be kept clean.

(22) Removal of milk: Each pail of milk shall be removed immediately to the milk house or straining room. No milk shall be strained in the dairy

(23) Cooling: Milk must be cooled within one hour after milking to 50° F, or less and maintained at or below that temperature until delivery, unless it is delivered to a milk plant for pasteurization or separation, in which case it must be cooled or pasteurized within two hours of the time of production.

(24) Bottling and capping: Capping shall be done by machine. Caps shall be purchased in sanitary tubes and kept therein in a clean place until used.

Personnel—(25) Health certificates: Every person connected with a dairy or milk plant whose work brings him in contact with the production, handling, storage, or transportation of milk or milk products shall have within 12 months passed a medical examination made by the health officer.

(26) Notification of disease: Notice shall be sent to the health officer immediately by any milk producer or distributor upon whose dairy farm any case of sickness or any infectious, contagious, or communicable disease occurs.

Grade B raw milk: Grade B raw milk is milk the average bacterial count of which at no time prior to delivery exceeds 200,000 per cubic centimeter, or which falls in class 1 as determined by the reductase test as described in the Standard Methods of Milk Analysis of the American Public Health Association, and which is produced upon dairy farms conforming with all the items of sanitation required for grade A raw milk except (2), (3), (4). (5), or (6), provided that cleanliness of the barn and cow yard shall in no case be omitted. Item (23) shall apply except that the cooling temperature shall be changed to 60° F.

Grade C raw milk: Grade C raw milk is milk the average bacterial count of which at no time prior to delivery exceeds 1,000,000 per cubic centimeter, or which falls in class 2 as determined by the reductase test as described in the Standard Methods of Milk Analysis of the American Public Health Association, and which is produced on dairy farms conforming with all the items of sanitation required for grade B raw milk, except (7), (12), (14), (23), (24),

or (25), provided that cleanliness shall in no case be omitted.

Grade D raw milk: Grade D raw milk is milk which does not meet the requirements of grade C raw milk, and the average bacterial count of which does not exceed 5,000,000 per cubic centimeter, or which falls in class 3 as determined by the reductase test as described in the Standard Methods of

Milk Analysis of the American Public Health Association.

Grade A pasteurized milk: Grade A pasteurized milk is grade A or grade B raw milk which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the following items of sanitation and the average bacterial count of which at no time after pasteurization and until delivery exceeds 50,000 per cubic centimeter.

Buildings and equipment—(1) Floors: The floors of all rooms in which milk is handled shall be constructed of concrete or other equally impervious and easily cleaned material and shall be smooth, properly drained, and provided with trapped drains and kept clean.

(2) Walls and ceilings: Walls and ceilings of rooms in which milk is handled or stored shall be frequently painted with a light-colored paint or finished in a manner approved by the health officer and kept clean.

(3) Doors and windows: All openings into the outer air shall be effectively

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screened to prevent the access of flies. Doors shall be self-closing.

(4) Lighting and ventilation: All rooms shall be well lighted and ventilated. (5) Protection from contamination and flies: The various milk-plant operations shall be so located and conducted as to prevent any contamination one to the other. All means necessary for the elimination of flies shall be used. This requirement shall be interpreted to include separate rooms for (a) the pasteurizing, cooling, and bottling operations; (b) the container-washing and sterilizing operations. Cans of raw milk shall not be unloaded directly into the pasteurizing room.

(6) Toilet facilities: Every milk plant shall be provided with toilet facilities conforming with the regulations of the State board of health. There shall be at least one room or vestibule not used for milk purposes between the toilet room and any room in which milk or milk products are handled or stored. The doors of all toilet rooms shall be self-closing. Toilet rooms shall be kept in a clean condition, in good repair, and well ventilated. In case privies or earth closets are permitted and used, they shall be located at least 100 feet from the building, and shall be of a sanitary type, constructed and operated in cenformity with the regulations of the State board of health.

(7) Water supply: The water supply shall be easily accessible, adequate, and

of a safe, sanitary quality.

(8) Washing facilities: Washing facilities shall be provided, including hot running water, soap, and sanitary towels of a type approved by the health The use of a common towel is prohibited.

(9) Milk piping: Only "sanitary milk piping" of a type which can be easily

cleaned with a brush shall be used.

(10) Construction of equipment: All equipment with which milk comes in contact shall be constructed in such manner as to be easily cleaned.

(11) Disposal of wastes: All wastes shall be disposed of in conformity with

the requirements of the health officer.

Methods—(12) All milk containers and milk apparatus shall be thoroughly cleaned after each usage and sterilized in a manner approved by the health officer immediately before each usage.

(13) Storage of containers: After sterilization all bottles, cans, and other containers shall be stored in such manner as to be protected from contami-

nation.

(14) Handling of containers and apparatus; Between sterilization and usage all containers and apparatus shall be handled in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk products come in contact.

(15) Storage of caps: Milk-bottle caps shall be purchased and stored only

in sanitary tubes and shall be kept therein until used.

(16) Pasteurization: Pasteurization shall be performed as described in the definition section of these regulations. The time and temperature records charts shall be dated and preserved for a period of three months for the information of the health officer.

(17) Cooling: All milk not pasteurized within two hours after it is received at the plant shall then be immediately cooled to a temperature of 50 degrees Fahrenheit or less and maintained thereat until pasteurized; and all pasteurized milk shall be immediately cooled to a temperature of 50 degrees Fahrenheit or less and maintained thereat until delivery.

(18) Bottling: Bottling shall be done in automatic machinery approved by the health officer in such manner as to prevent any part of the person or clothing from coming in contact with any surface with which milk or milk

products come in contact.

(19) Overflow milk: Overflow milk which has become machine contaminated shall not be sold for human consumption.

(20) Capping: Capping shall be done by machinery approved by the health

officer. Hand capping is prohibited.

(21) Time of delivery: Milk to be consumed in the form of whole milk shall be delivered to the final consumer within 36 hours of the time of pasteurization.

Personnel—(22) Health certificates: Every person connected with a dairy or milk plant whose work brings him or her in contact with the production, handling, storage, or transportation of milk or milk products shall have within 12 months passed a medical examination made by the health officer.

(23) Notification of disease: Notice shall be sent to the health officer immediately by any milk producer or distributor upon whose dairy farm or in whose milk plant any case of sickness or any infectious, contagious, or com-

municable disease occurs.

(24) Cleanliness: All persons coming in contact with milk or milk products. containers, or equipment shall wear clean outer garments and shall keep their

hands clean at all times while thus engaged.

Grade B pasteurized milk: Grade B pasteurized milk is grade A, B, or C raw milk which has been pasteurized, cooled, and bottled in a milk plant conforming with all of the items of sanitation required for grade A pasteurized milk excepting (2), (4), or (24), and the average bacterial count of which at no time after pasteurization and prior to delivery exceeds 100,000.

Grade C pasteurized milk: Grade C pasteurized milk is pasteurized milk which does not meet the requirements of grade B pasteurized milk, and the average bacterial count of which at no time prior to delivery exceeds 500,000 per cubic centimeter.

Sec. 8. Supplementary regrading.—At any time between regular announcements of milk grades any producer or distributor may make application for

regrading his product.

In case the applicant's existing low grade is due to excessive bacterial count, said application must be supported by at least two bacteriological examinations made subsequent to the end of the previous grading period and indicating that the quality of the applicant's output has improved since the last grading announcement and conforms with the requirements of a higher grade. The samples upon which the said two analyses are made may be brought to the health department laboratory by the applicant.

Upon the receipt of a satisfactory application, the health officer shall make at least four bacteriological analyses upon samples collected by the health officer of the applicant's output within a period of not less than two weeks and not more than three weeks of the date of the application. The health officer shall award a higher grade immediately in case the said four analyses

indicate the necessary quality.

In case the applicant's existing low grade is due to a violation of an item of sanitation other than bacterial count, said application must be accompanied by a statement signed by the applicant to the effect that the violated item of sanitation has been conformed with. Within one week of the receipt of such an application the health officer shall make a reinspection of the applicant's establishment, and, in case the findings justify, shall award a regrade.

At any time between regular announcements of milk grades the health officer may lower the grade of any milk producer or distributor if, as a result of inspection or milk analyses, a lower grade shall be justified in accordance with

the terms of these regulations.

Sec. 9. Transferring or dipping milk.—No milk producer or distributor shall transfer milk or milk products from one container to another upon the street or in any vehicle or store, or in any place except a bottling or milk room especially used for that purpose, except as may be specially permitted by the health officer in the case of milk being delivered in bulk. The sale of dip milk is hereby expressly prohibited.

It shall be unlawful for hotels, soda fountains, restaurants, and similar establishments to sell or serve any whole milk or adjusted milk as milk except in the original container in which it was received from the producer or

distributor

SEC. 10. Milk not to be pasteurized outside the State of Mississippi.—No milk or cream shall be sold in the State of Mississippi that has been pasteurized outside the State of Mississippi, except as may be authorized by the State health officer.

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Sec. 11. Spitting.—No person shall spit, except into a receptacle provided for the purpose, in any part of any room, vehicle, or other place used for the

sale, storage, handling, or transportation of milk.

Sec. 12. Vehicles.—All vehicles used for delivery of milk in the respective cities shall be so constructed as to protect the milk from the sun and from contamination. Such vehicles shall be kept clean while used in transporting milk or milk products. No substance capable of contaminating milk or milk products shall be transported with milk or milk products in such manner as to permit contamination.

Sec. 13. Denaturing misbranded products.—The health officers shall immediately denature with rennet or some harmless coloring matter any milk or milk product found misbranded with respect to grading or sold without a permit.

Sec. 14. Repasteurization prohibited.—No milk or milk products shall be pasteurized more than once.

SEC. 15. Future dairies and milk plants.—All dairies and milk plants from which milk is supplied to the respective cities, which are hereafter constructed shall conform in their construction to the requirements of the health officer, which shall not be less than the grade "A" requirements of these regulations.

Sec. 16. Proscribed milk.—Milk which does not conform with the grades as described in these regulations shall not be sold in the State of Mississippl.

Sec. 17. Repeal and date of effect.—All regulations and parts of regulations in conflict with these regulations are hereby repealed; and these regulations shall be in full force and effect immediately upon their adoption as provided by law.

MISSOURI

Ice Cream—Annual Fees for Permit to Manufacture—Inspection Fund. (Act April 11, 1927)

[This act repeals section 5717, Revised Statutes, 1919, and enacts the following new section 5717:]

SEC. 5717. Annual fee required of manufacturers-Exceptions.-Each manufacturer of ice cream in cities or towns in this State which now have or may hereafter have a population of 5,000 or over who manufactures ice cream for sale at wholesale shall pay an annual fee of \$100 for a permit to conduct his business, and each manufacturer of ice cream in cities or towns in this State which now have or may hereafter have a population of 5,000 or over who manufactures ice cream for sale at retail shall pay an annual fee of \$5 for a permit to conduct his business. Each manufacturer of ice cream in cities or towns of less than 5,000 and more than 2,000 population and in any suburban or rural part of the State of Missouri, who manufactures ice cream for sale at wholesale shall pay an annual fee of \$40 and in cities or towns of a population of 2,000 and less, \$20 for a permit to conduct his business, and each manufacturer of ice cream in cities or towns of less than 5,000 population and in any suburban or rural part of the State of Missouri who manufactures ice cream for sale at retail shall pay an annual fee of \$3 for a permit to conduct his business; such fees shall be paid into the State treasury, and there constitute a fund to be known as the "ice cream inspection fund," and shall as authorized by the general assembly be used by the State food and drug commissioner, for the purpose of defraying the expenses necessary and incident to the enforcement of this article. Any surplus accruing to said "ice cream inspection fund" shall at the end of the biennium revert to the general revenue fund of the State. For the purpose of this article, the term "wholesale manufacture" shall include every manufacturer of ice cream who sells at wholesale for resale, and the term "retail manufacturer" shall include every manufacturer who manufactures and sells ice cream at retail: Provided, That nothing in this article contained shall be so construed as to require a permit to authorize persons or committees not otherwise engaged in the manufacture of ice cream, to manufacture and make ice cream for their own use or for the purpose of sale at picnics, church socials, or other entertainments of like character; all manufacturers of ice cream shall be subject to inspection by the State food and drug commissioner, his deputy or inspectors during all reasonable hours, or any other officers under any law now or hereafter in force in this State.

Goat Meat-Sale Lawful When Properly Branded. (Act April 5, 1927)

[This act adds the following new section to the Revised Statutes, 1919:] Sec. 5683a. Lawful to sell goat meat if branded goat meat or chevon.—It shall hereafter be lawful for any person, firm, association, or corporation to sell or offer for sale, either in wholesale or retail lots, goat meat, provided the same is branded goat meat or chevon.

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Cattle Affected with Contagious Abortion or Tuberculosis—Sale for Breeding or Dairy Purposes Unlawful—Powers of State Veterinarian Regarding. (Act April 8, 1927)

Section 1. Unlawful to sell cattle affected with contagious abortion or tuberculosis.—It shall be unlawful for any person to knowingly or willfully sell for breeding or dairy purposes any neat cattle affected with contagious-abortion, tuberculosis, or any animal which has reacted to any recognized test for the same: Provided, That any person, having in their care or possession a herd of cattle infected with contagious abortion or tuberculosis, and said person makes no attempt at controlling the infection or infections, the said herd shall

be considered a menace to the livestock industry of this State, and the State veterinary surgeon is empowered under section 12083 of the Revised Statutes of Missouri, 1919, to place such herd under quarantine, and only permit the sale for breeding or dairy purposes of such animals from said herd which do not react to a recognized test for the disease considered to be a menace, provided, any person knowingly violating the provisions of this act shall be deemed guilty of a misdemeanor.

Sec. 2. Act not to apply to sale of animals intended for certain purposes.— Nothing in this act shall be so construed as to apply to the sale of animals

intended for feeding, grazing, or slaughtering purposes.

Sec. 3. Defining words in this act.—The word "person" as used in this act shall be construed to include both the singular and plural, also inclusive of the term "firm," "company," "corporation," or association.

Sewer Districts in Certain Counties—Organization, Management, Operation, and Maintenance. (Act March 25, 1927)

Section 1. Authorizing organization of sewer districts in any county which may have 75,000 inhabitants or more.—That whenever any area of contiguous territory within the limits of any county now having or which may hereafter have a population of 75,000 inhabitants or more is or shall be in need of a system of sewers or drains for sanitary purposes or for the protection of the public health or welfare, a sewer district may be created and organized as herein provided, and such district may be located wholly or partly within the corporate limits of any city, town or village in such county, or wholly outside of such city, town, or village.

Sec. 2. Petition for forming district to be filed in office of clerk of circuit court.—Any 100 or more adult owners of real estate resident within the limits of such proposed sewer district may file, in the office of the clerk of the circuit court of such county, a petition ex parte in which shall be set forth the boundary lines of the proposed district, the name under and by which it shall be known and be incorporated, and the number of years it shall continue as a public corporation; and the said petition shall contain a prayer that the lands and other property within such boundaries be declared a sewer district under

the provisions of this act.

SEC. 3. Notice of application to form sewer district to be published in newspaper—Time for hearing.—Immediately after such petition shall have been filed with the clerk of said court, the clerk shall give notice by causing publication to be made once a week for two consecutive weeks, (that is, by two weekly insertions), in some newspaper published in such county, the first publication of said notice to be at least 14 days prior to the day of the hearing on the said petition, and such notice shall be substantially in the following form, which shall be deemed sufficient for all purposes:

NOTICE OF APPLICATION TO FORM SEWER DISTRICT

(Clerk of the circuit court)
----- County, Mo.

The time for the hearing, as indicated in the said notice, shall be such time as may previously have been designated by the court.

Sec. 4. Objectors to file notice.—Any owner of real estate or other property in the said proposed district who may not have signed said petition, objecting to the organization or incorporation of said sewer district shall, on or before the day designated for the hearing on the petition, file his objection or objections to the incorporation of such sewer district, but such objection or objections shall

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be limited to a denial of the necessity or desirability for sewage disposal in the said district and shall be heard by the court in a summary manner without unnecessary delay, and in case all such objections are overruled the circuit court shall, by its order duly entered of record, declare and decree said sewer district a public corporation of this State for a term not exceeding the time mentioned in the said petition. If the court finds that the lands and other property in the territory described in the said petition should not be incorporated into a sewer district, it shall dismiss said proceedings and adjudge the cost against the signers of said petition. Any person having signed the polition shall have no right to have said proceedings dismissed as to him or withdraw his name therefrom without the written consent of the majority of the signers thereof. The petition may be amended as any other pleading. Within 10 days after the said district shall have been decreed a corporation by the court, the clerk thereof shall transmit to the secretary of state a certified copy of the findings and decree of the court, and the same shall be filed in the office of the secretary of state. A copy of said findings and decree shall also be filed in the office of the recorder of deeds of said county, who shall receive a fee of \$1 for filing and

preserving the same.

SEC. 5. Court to appoint three supervisors-Compensation .- At the time of entering the decree of incorporation, or within 15 days thereafter, the said court shall appoint a board of three supervisors to be composed of owners of lands or other property in the said district, and who shall be residents of the State of Missouri. The said appointment shall be for one, two, and three years, respectively, and at the end of their terms the court shall appoint their successors for terms of four years each and until their successors in turn shall have been appointed and qualified. All vacancies in the said board of supervisors shall be filled by the court, and each supervisor shall before entering upon his official duties, take and subscribe an oath before some officer authorized by law to administer oaths that he will honestly, faithfully, and impartially perform the duties devolving upon him in office as supervisor of the sewer district for which he may have been appointed and that he will not neglect any of the duties imposed upon him by this act. Immediately after their appointment, the said board of supervisors shall meet at a time and place which shall have been designated by the clerk of the said court and organize and choose one of their number president of the board, and elect some suitable person to be secretary. The board shall also adopt a seal with a suitable device, and shall keep a record of all its proceedings, which shall be open to the inspection of all owners of land and other property in the district, as well as to all other interested parties. The board of supervisors shall annually report to the court what work has been done, either by the engineers or otherwise. The members of the board shall receive, for attending to the business for and in behalf of the district, actual transportation expenses, which shall be audited by the board before payment. They shall receive no compensation for their services unless the court shall authorize it, and in no event shall such compensation exceed \$10 per day for time actually engaged in work for the district: Provided, however, That the secretary may be allowed such compensation as may be determined by the board of supervisors with the approval of the said circuit court.

Sec. 6. Board to appoint chief engineer-Duties.-Within 30 days after organizing, the board of supervisors shall appoint a competent civil engineer as chief engineer, who may be an individual, copartnership or corporation, and who shall engage such assistants as the board of supervisors may approve. The chief engineer shall have control of the engineering work in the district, but may, with the consent of the board of supervisors, consult any eminent engineer or engineers and obtain his or their opinion and advice concerning the plans for sewerage and sewage disposal of the said district. He shall make all necessary surveys of the lands and other property within the district, and shall make a report in writing to the board of supervisors, with maps and profiles of the said survey or surveys where necessary, which report shall contain a plan for sewerage and the disposal of sewage and storm waters, if necessary or advisable, and including any necessary outlet or outlets therefor, extending beyond the boundaries of the said district; and said maps and profiles shall also indicate, so far as necessary, the physical characteristics of the lands and other property in the district and the location of any public roads, streets, or other highways, railroads and other rights of way, and other property or improvements in the said district. Upon receipt of his final report and surveys of the lands and other property in the district and of the plans

for sewage disposal, the board of supervisors shall adopt such report, or any modification thereof approved by the chief engineer after consulting with him, and thereafter such adopted report shall be the plan for sewerage and sewage disposal, and after such adoption it shall be known and designated as "the sewer plan," which plan shall be filed with the secretary of the board of supervisors and by him copied into the records of the district. The board of supervisors may purchase upon such terms as they may deem best, existing surveys, maps, profiles and/or plans suitable for use in whole or in part in

the "sewer plan."

SEC. 7. Board of supervisors may levy tax for purpose of paying expenses-Organizing district.-The board of supervisors of any sewerage district organized under the provisions of this act may, as soon as appointed and qualified, levy a uniform tax of not more than 10 cents per square of 100 square feet upon all the lands within such district, to be used for the purpose of paying expenses incurred and to be incurred in organizing the district, in making surveys of the same, in assessing benefits and damages, and in paying other expenses necessary to be incurred prior to the time when the said board shall be empowered by subsequent provisions of this act to provide funds with which to pay the total cost of works and improvements of the district. Such tax shall be due and payable as soon as assessed, and if not paid by December 31 of the year in which it may have been levied, the same shall become delinquent. It shall become a lien on the land and other property against which it is assessed and shall be collected in the same manner as the annual installment of tax. In case the sum received from such assessment exceeds the total cost of items for which the same has been levied, the surplus shall be placed in the general fund of the district or used to pay cost of construction: Provided, That if the corporation of the district be dissolved, as provided for herein, the amount of the surplus, if any, shall be prorated and refunded to the landowners paying the same.

SEC. 8. Procedure after adoption of sewer plan.-Within five days after the adoption of the sewer plan the secretary of the board of supervisors shall prepare and transmit a certified copy thereof to the clerk of the circuit court of said county, and at the same time the board of supervisors shall file with the said clerk a petition to the court praying the court to appoint commissioners to appraise the lands within and without said district to be acquired for rights of way for sewers, outlets, septic tanks, or other works for the disposal of sewage, and to assess benefits and damages accruing to the said lands and other property in the district by reason of execution of the sewer plan. Within 10 days after the filing of such petition the judge of said court shall either in term time or vacation, by an order entered of record, appoint three commissioners, who shall be freeholders residing within the State of Missouri, but who shall not be landowners or owners of other property in said district, nor of kin within the fourth degree of consanguinity to any person owning land or other property in said district. The findings of the court that the said commissioners and each of them is a freeholder residing within the State of Missouri, that he is not a landowner in said district, nor of kin within the fourth degree of consanguinity to any person owning land or other property in said district, shall be conclusive. A majority of said commissioners shall constitute a quorum and

shall control the action of the board on all questions.

Sec. 9. Commissioners to organize and elect officers.—Said clerk of the circuit court shall, upon the filing of said order of appointment, notify each of said commissioners of his appointment by written or printed notice, and he shall state therein the time and place for the first meeting of said commissioners. The secretary of the board of supervisors shall attend such meeting and shall furnish said commissioners a complete list of lands and all corporate and other property lying within the boundary lines of the said district as shown by the assessor's record of assessment for State and county purposes and that will be affected by carrying out and putting into force the sewer plan, and the names of the owners of such property as shown on the last assessment lists for State and county purposes. The said secretary shall also furnish the said commissioners a copy of the sewer plan, with maps and profiles, in his office. The commissioners shall, at said meeting or within 10 days thereafter, each take and subscribe an oath that they will faithfully and impartially discharge their duties as such commissioners and make a true report of the work done by them. They shall also elect one of their number chairman, and the secretary of the board of supervisors, or a deputy or assistant to be assigned by him, shall be

ex officio secretary of said board of commissioners during their continuance in office.

SEC. 10. Shall determine value of land in district and assess.—Within 10 days after qualifying, as provided in the previous section, the commissioners shall begin their duties. They may at any time call upon the attorney of the district for legal advice and information relative to their duties and the chief engineer or one of his assistants shall accompany the commissioners at all times and render his opinion in writing when called for. The said commissioners shall proceed to view and to determine the value of all lands and other property within and without the district to be acquired and used for rights of way for sewers or outlets and other necessary sewer improvements as shown on the plan for sewers. They shall assess the amount of benefits and the amount of damages, if any, to each lot, tract, or parcel of land, according to ownership, to railroads, and other rights of way, railroad roadways, and other property and improvements thereon, for the carrying out and putting into effect the sewer plan theretofore adopted. The commissioners shall assess only such benefits as will be derived from the construction of the works and improvements set out in the sewer plan or as the same may afford an outlet for sewage or for the disposal of sewage from such lands and other property. The commissioners shall give due consideration and credit to any other sewers or drains or system of sewage disposal which may already have been constructed and which may afford the means of partial or complete disposal of sewage to any lot, tract, or parcel of land in the district: Provided, Such sewer, drain, or system of sewage disposal is incorporated into and made a part of the sewer plan. The commissioners shall have no power to change the sewer plan theretofore adopted. The commissioners shall prepare a report of their findings which shall be arranged in tabulated form, the columns of which shall be headed as follows: Column 1, "Owner of property assessed"; column 2, "Description of property assessed"; column 3, "Amount of benefits assessed"; column 4, "Description of land taken for sewer rights of way or other sewer improvements"; column 5. "Value of property taken"; column 6, "Damages." By and with the advice of the engineer of the district they shall also estimate the cost of the sewers, outlets, and other sewer improvements set out in the sewer plans, which estimate shall include the cost of property required for rights of way, outlets, and other sewer improvements, and the probable expense of organization and administration as estimated by the board of supervisors, and shall tabulate the same. Their report shall be signed by at least a majority of the commissioners and filed in the office of the clerk of the circuit court organizing the district. The secretary of the board of supervisors, or his deputy or assistant assigned by him, shall accompany the commissioners while engaged in their duties and shall perform all clerical work for the said board. And under the advice, supervision, and direction of the attorney for the district he shall also prepare the commissioners' report. Said board of commissioners shall report to the board of supervisors the number of days each may have been employed and the actual expense incurred by him. Each commissioner shall be paid such compensation, not exceeding \$10 per day for each day of actual service, as may be allowed by the board of supervisors. He shall also be allowed his necessary expenses in addition thereto.

Sec. 11. Notice by publication in newspaper.—Upon the filing of the report of the commissioners in the office of the clerk of the circuit court of such county, the clerk of the circuit court shall give notice thereof by causing publication to be made once a week for two consecutive weeks (that is, by two weekly insertions), in some newspaper published in such county. It shall not be necessary for said clerk in said notice to name the parties interested, but

it shall be sufficient to say:

NOTICE OF FILING OF COMMISSIONERS' REPORT FOR _____ FOR [SIC] SEWER DISTRICT

SEC. 12. May file exceptions-Hearing-Appeals.-The sewer district, or any owner of any lot, tract, or parcel of land or other property therein may file exceptions to said report or to any assessments for either benefits or damages within 10 days after the last day of publication of the notice provided for in the preceding section. The exceptions shall be heard by the court and determined in a summary manner so as to carry out liberally the purposes and needs of the district; and if it appears to the satisfaction of the court after having heard and determined all of said exceptions that the estimated cost of constructing the improvement contemplated in "the sewer plan" is less than the benefits assessed against the land and other property in said district, then the court shall approve and confirm said commissioners' report as so modified and amended. The court may at any time before final confirmation or approval refer the report back to the commissioners with or without instructions, and when the report is again filed notice shall be given in the form and for the time provided in the next preceding section. Exceptions to the second report shall be filed within 10 days after the date of the last day of publication and heard and determined in a summary manner. The court shall adjudge and apportion the costs incurred by the exceptions filed and shall condemn any land or other property, within or without the boundary lines of the district, that is shown by the report of the commissioners to be needed for rights of ways, holding basins, and other works, or that may be needed for material to be used in constructing said works, following, as nearly as possible, the procedure that is now provided for by law for the appropriation of land and other property taken for telegraph, telephone, and railroad rights of way. The clerk of said circuit court shall transmit a certified copy of the court decree and copy of the commissioners' report, as confirmed or amended by the court, to the secretary of the board of supervisors of the district, who shall make and transmit a certified copy of the said decree and that part of the said report affecting land in each county to the recorder of each county having lands in the district, or affected by the said report, where the same shall become a permanent record, and each such recorder shall receive a fee of \$1 for receiving, filing, and preserving the same. Any person may appeal from the judgment of the court, and upon such appeal there may be determined either or both of the following questions: First, whether just compensation has been allowed for property appropriated; and, second, whether proper damages have been allowed for property prejudicially affected by the improvements. Appeal shall be the exclusive remedy for review.

SEC. 13. Shall have full power and authority.-The board of supervisors of such district shall have full power and authority to build, construct, excavate, and complete all or any works and improvements which may be needed to carry out, maintain, and protect the sewerage plan. The said board of supervisors is hereby authorized and empowered to employ men and teams and to purchase machinery, employ men to operate same, and directly have charge of and construct the works and improvements, or by the use of other or more efficient means than provided for in the plans adopted. They may, in their discretion, let the contract for such works and improvements, either as a whole or in sections, and when such contract or contracts are let, they shall be advertised and let to the lowest and best bidder, who shall give a good and approved bond with ample security conditioned that he will well and properly carry out the contract for such work and improvements, which contract shall be in writing and to which shall be attached and made a part thereof complete plans and specifications of the work to be done and the improvements to be made under such contract, which plans and specifications shall be prepared by the chief engineer and shall be incorporated in and attached to the contract, which contract shall be prepared by the attorney for the district, and before the work is commenced shall be approved by the board of supervisors and signed by the president of the board and the contractor, and shall be executed in duplicate. The chief engineer shall be the superintendent of all the works and improvements and shall, whenever required, and at least once each year, made [make] a full report to said board of all work done and improvements made and make such suggestions and recommendations to the board as he may deem proper.

SEC. 14. Shall levy tax to pay costs.—After the list of the lands and other property with the assessed benefits and the decree and judgment of the court have been filed in the office of the county recorder, as provided in section 13 of this act, then the board of supervisors shall, without any unnecessary delay, levy a tax of such portion of said benefits on all lots, tracts, and parcels of

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land, railroad and other property in the district to which benefits have been assessed as may be found necessary by the board of supervisors to pay the cost of the completion of the proposed works and improvements, as shown in the sewerage plan and in carrying out the objects of the district, plus 10 per cent of said total amount for emergency. The said tax shall be apportioned to and levied on each lot, tract, or parcel of land or other property in said district in proportion to the benefits assessed and not in excess thereof, and in case bonds are issued as provided herein and hereafter, then the amount of the interest as estimated to accrue by the said board of supervisors on such bonds shall be included and added to the said tax. But the interest to accrue on account of the issuing of said bonds shall not be construed to be any part of the cost in determining whether or not the expenses and costs of making said improvements are or are not equal to or in excess of the assessed benefits, The secretary of the board of supervisors, as soon as said total tax is levied, shall, at the expense of the district, prepare a list of all taxes levied in the form printed at the top of each page in said book and shall be signed and certified by the president and secretary of the board of supervisors, attested with the seal of the district, and the same shall hereafter become a permanent record in the office of the said secretary.

SEC. 15. Shall order and levy amount of annual installment of taxes .said board of supervisors shall each year thereafter determine, order, and levy the amount of the annual installment of the total taxes levied under the preceding section, which shall become due and be collected during said year at the same time that State and county taxes are due and collected, which said installment and levy shall be evidenced and certified by the said board not later than September 1 of each year to the collector of the revenue of each county in which lands and other property of said district are situate. The certificate of said installment tax shall be in substantially the following form, to wit:

STATE OF MISSOURI.

County of _.

To the Collector of Revenue of Said County:

President of Board.

Attest:

Secretary of Board,

Then shall follow a table or schedule showing in properly ruled columns, first, the name of the owners of said lands and other property as they appear on the books of the assessor of said county at the time of the rendering of the decree incorporating the district; second, the descriptions of the said lands and other property opposite the names of said owners; third, the amount of said annual installment tax levied on each tract of land or piece of property; fourth, the amount of maintenance tax; fifth, a blank column in which the collector shall record the several amounts as collected by him; sixth, a blank column in which the collector shall record the date of payment of the different sums; seventh, a blank column in which the collector shall record the names of the persons paying the several amounts. The columns in which the annual installment tax and the maintenance tax, if any, appear shall be correctly totaled

SEC. 16. Duty of collector of revenue of county to collect sewerage tax levied .-It shall be the duty of the collector of revenue of each county in which land or other property of any sewerage district organized under this act are situate to receive the "sewerage tax book" each year, and he is hereby empowered and it shall be his duty to promptly and faithfully collect the tax therein set out and to exercise all due diligence in so doing. He is further directed and ordered to demand and collect such taxes at the same time that he demands and collects State and county taxes due on the same lands and other properties, Where any tract or part thereof has been divided and sold or transferred the collector shall receive taxes on any part of any tract, piece, or parcel of land or other property charged with such taxes and give his receipt accordingly. The above and foregoing "sewerage tax book" shall be the warrant and authority of the collector for making such demand and collection. The said collector shall make due return of all "sewerage tax books" each year to the secretary of the board of supervisors of the aforesaid sewerage district, and shall pay over and account for all moneys collected thereon each year to the treasurer of said district at the same time when he pays over State and county taxes. Said collector shall in said "sewerage tax book," verify by affidavit his said return. The said secretary shall each year, within 10 days after the return of said collector is delivered to him, prepare and certify to said collector a "sewerage back tax book," containing the list of lands and other property so returned by said collector as delinquent, deliver the same to him and take his receipt therefor, and said collector shall proceed to collect such delinquent sewerage taxes and demand payment therefor in the same manner as herein provided for the collection of current sewerage taxes. Before receiving the aforesaid "sewerage tax book" the collector of each county in which lands or other property of the sewerage district are located shall execute to the board of supervisors of the district a bond with at least two good and sufficient sureties or a surety company in a sum that is double the probable amount of any annual installment of said tax to be collected by him during any one year, conditioned that said collector shall pay over and account for all taxes so collected by him according to law. Said bond after approval by said board of supervisors shall be deposited with the secretary of the board of supervisors, who shall be custodian thereof and who shall produce same for inspection and use as evidence whenever and wherever lawfully requested to do.

SEC. 17. Unpaid taxes after December 31 of year shall become delinquent— Penalty.—All taxes provided for in this act remaining unpaid after December 31 of the year for which said taxes were levied shall become delinquent and bear a penalty of 2 per cent per month on the amount of said taxes from date of delinquency until paid. In computing said penalty each fractional part of a

month shall be counted as a full month.

SEC. 17a. Judge of circuit court shall order and levy sewer tax-When.-Whenever it shall be made to appear to the judge of the circuit court of any county in which any sewer district shall have been incorporated and organized under the authority of this act, that the board of supervisors of such sewer district has failed or neglected or refused to determine, order, and levy the amount of the annual installment of the total sewer taxes levied under the authority of this act, and has failed or neglected or refused to cause the same to be certified to the collector of the revenue of such county on or before the 1st day of September of the year or years in which any installment or installments of said total tax should have been determined, ordered, levied, and certified as herein provided, then the judge of said circuit court, either in term time or vacation, shall determine, order, and levy the amount of the annual installment of the total sewer tax which should be levied under the authority of this act and shall cause such order to be entered upon the records of such circuit court, and shall at the same time and as part of such order, direct and order the clerk of said court to certify to the collector of the revenue of such county the amount of the annual installment or installments of the taxes levied under authority of this act; and the said installment or installments shall become due and be collected during such year at the same time that State and county taxes

are due and collected and shall become delinquent. The certificate of said installment tax may be substantially in the following form:

STATE OF MISSOURI, County of _____ ____ collector of the revenue in and for _____ County: To .

--, County, Mo. Clerk of the Circuit Court of _____

There shall follow a table of schedules showing in properly ruled columns, first, the names of the owners of said lands and other property as they appear on the records of the assessor of said county at the time of the rendering of the decree of the circuit court organizing said district; second, the description of the said lands and other property opposite the names of said owners; third, the amount of said annual installment or annual installments of tax levied on each tract of land or piece of property; fourth, a blank column in which the collector shall record the date of payment of the different sums; fifth, a blank column in which the collector shall record the names of the person or persons paying the several amounts. The said certificate and table shall be prepared in the form of a well-bound book which shall be indorsed and named "sewer tax County, Mo., for the year 19__, which inbook" sewer district, dorsement shall also be printed at the top of page in said book. For making up and certifying the sewer tax book, the clerk shall receive as full compensation therefor, in addition to all other compensation allowed him by law, a fee of one-half of 1 per cent of the annual installment of the taxes so certified by him as hereinbefore provided, to be payable by the collectors of each county in which the sewer district is situated proportionately out of the first proceeds of the installments of the tax so certified by such clerk. The clerk shall receipt to the collectors for such fee so paid, and the collectors shall be credited with such payment or payments. If at the time or any subsequent time it be made known to the judge of said court that the board of supervisors, or its president or secretary, or its president and secretary of any of them, has failed to comply with the provisions of this act, or with the provisions of any act or statute, or that the attorney for the district has not been diligent in instituting and prosecuting to final determination suits to recover delinquent taxes due and owing to the district, it shall be the duty of such judge, either in vacation or term time, to appoint some suitable attorney, authorized to practice law in the State of Missouri, to institute and prosecute to final determination in the name of the district proper suits for the recovery of the annual installments of sewer taxes delinquent and due the district; and such attorney shall receive as his compensation therefor a fee equal to 25 per cent of the amount of the sewer taxes, penalties, and interest found by the court to be due and owing, which fee shall be included in, added to, and made a part of the judgment and collected at the same time and in the same manner as the judgment is or may be collected.

SEC. 18. County collector shall pay penalty—When.—If any county collector of the revenues refuses, fails, or neglects to make prompt payment of the tax or any part thereof collected under this act to the aforesaid secretary, then he shall pay a penalty of 10 per cent on the amount of his delinquency; such penalty shall at once become due and payable and both he and his securities shall be liable therefor on his aforesaid bond. The said collector shall retain for his services 1 per cent of the amount he collects on current taxes and 2 per cent

of the amount he collects on delinquent taxes.

SEC. 19. Sewerage tax and penalties to be lien on land and other property. All sewerage taxes provided for in this act, together with all penalties for default in payment of the same, all costs in collecting the same, including a reasonable attorney's fee, to be fixed by the court and taxed as costs in the action brought to enforce payment, shall, from date of filing the certificate hereinafter described in the office of the recorder of deeds for the county wherein the sewerage district is situate, until paid, constitute a lien to which only the lien of the State for general State, county, school, and road taxes shall be paramount, upon all the lots, tracts, and parcels of land and other property against which such taxes shall be levied as is provided in this act. Such liens shall be evidenced by a certificate substantially in the following form, to wit:

STATE OF MISSOURI,

County of __ To _, recorder of deeds of said county:

[SEAL.]

President of the Board.

Secretary of the Board.

The certificate and tables specified in this section shall be prepared in a well-bound book and filed in the office of the recorder of deeds of the county in which said district may be located and where the same shall become and remain a permanent record of the office. The said book shall be prepared by the secretary of the board of supervisors at the expense of the sewerage distr ct, shall be designated as "sewerage tax record" and each recorder shall

receive a fee of \$1 for filing and preserving such book.

SEC. 20. Suit to be brought in corporate name of district by its attorney-Proceeds of sales shall be paid to treasurer of district.—The "sewer tax book" of the district, as returned by the collector of the revenue to the secretary of the board of supervisors of the district shall be prima facie evidence in ail courts of matters therein contained. The liens established and declared in the preceding sections of this act may and shall be enforced by an action on delinquent tax bills, made and certified by the county collector, which act on shall be instituted in the circuit court without regard to the amount of the claim within six months after December 31 of the year for which sa d taxes were levied. The suit shall be brought in the corporate name of the district by its attorney against the land or lands, property or properties, on which the said sewer tax has not been paid. The suit shall be brought in the county in which the property or properties is situate. The pleadings, process, proceedings, practice and sales, in cases arising under this act, shall, except as herein provided, be the same as in an action for the enforcement of the State's lien for delinquent general taxes upon real estate. All sales of land made under this section shall be by the sheriff, as is now provided under the general revenue law. All sheriff's deeds executed and delivered pursuant to this act shall have the same probative force as deeds executed under judgments for delinquent general State taxes, and in actions instituted under this act the same abbreviations shall be allowed and the aforesaid "sewer tax book" shall have the same probative effect as the back tax bill has in actions for the enforcement of the State's lien for general taxes upon real estate. The titles acquired through any sale of lands or other property under such proceedings shall be subject to the lien of all subsequent annual installments of sewer tax. In all suits for the collect on of delinquent taxes, the judgment for said delinquent

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righ dem taxes and penalty shall also include all costs of suit and a reasonable attorney's fee to be fixed by the court, recoverable as the delinquent tax and in the same suit. The proceeds of sales made under and by virtue of this act shall be paid at once to the treasurer of the district and shall be accounted for

by him the same as the sewer taxes.

SEC. 21. Secretary of board to act as treasurer-Duties.-The secretary of the board of supervisors in any sewer district incorporated under this act shall hold the office of treasurer of the district, and he shall receive and receipt for all the sewer taxes collected by the collector of the revenue of the county, and he shall also receive and receipt for the proceeds of all tax sales made under the provisions of this act. Said treasurer shall receive a salary, payable monthly, such as the board of supervisors may fix, and all necessary expenses. The board of supervisors shall furnish the secretary and treasurer the necessary office room, furniture, stationery, maps, plats, typewriter and postage. The said treasurer may appoint, by and with the advice and consent of the board of supervisors, one or more deputies or assistants as may be necessary, whose salaries and necessary expenses shall be paid by the district. The treasurer shall give bond in such amount as shall be fixed by the board of supervisors, conditioned that he will well and truly account for and pay out, as provided by law, all moneys received by him as taxes from the county collector or collectors, and the proceeds from the tax sales of delinquent taxes, and from any other source whatsoever on any account or claim of said district, which bond shall be signed by at least two sureties, approved and accepted by said board of supervisors, and said board shall be in addition to the bond for proceeds of sales of bonds, which is required by a subsequent section of this act. The bond of said treasurer may, if the board shall so direct, be furnished by a surety or bonding company, which shall be approved by said board of supervisors; said bond shall be placed and remain in the custody of the president of the board of supervisors, and shall be kept separate from all papers in the custody of the secretary and treasurer. Said treasurer shall keep all funds received by him from any source whatever deposited at all times in some bank, banks or trust company, to be designated by the board of supervisors. All interest which may accrue on such funds shall, when paid, be credited to the district. It shall be the duty of the board of supervisors to audit or have audited the books of said treasurer of said district each year and make report thereof to the circuit court and publish a statement within 30 days thereafter showing the amount of money received, the amount paid out during such year, and the amount in the treasury at the beginning and end of the year. The aforesaid treasurer of the district shall pay out funds of the district only on warrants issued by the district, said warrants to be signed by the president of the board of supervisors and attested by the signature of the secretary and treasurer. All warrants shall be in the following form:

Treasurer of doll	Fund district, State of ars of the money in fund for	No. of warrant district.
For[SEAL.]	By order of board of supervisors of	district.
Attest:		President of District.

Secretary of District.

SEC. 22. Board of supervisors authorized to have full charge of sewer system of district.—In order to provide a sewer system for the lands and other property and improvements in the district subject to tax, the board of supervisors is hereby authorized and empowered to construct and maintain main and lateral sewers, outlets for sewerage, sewer connections, drains, manholes, siphons, disposal plants, and any and all other structures and things, and to contract with other districts or municipalities for the construction, use, or maintenance of common or joint sewers, drains, outlets, and disposal plants, and do all things deemed necessary or advisable to make an effective and complete sewer system and to preserve and maintain the same in or out of the district; to construct any and all said works and improvements across, through, or over any public highway, railroad right of way, track, grade, fill, or cut, and any other right of way or easement in or out of the district; to remove any fence, building, or other improvements in or out of said district, and shall have the right to hold, control, and acquire by donation or purchase and, if need be, condemn any land, easement, railroad right of way, or any other right of way,

or any other property or improvements or franchise in or out of said district for rights of way for sewers or for any other improvement or structure deemed necessary or advisable for or in connection with sewer system of the district or for any of the purposes herein provided. Said board of supervisors shall also have the right to condemn, for the use of the district, any land or other property with n or without the district not acquired or condemned by the court on the report of the commissioners assessing benefits and damages, and in so doing shall follow the procedure that is now provided by law for the appropriation of land or other property taken for telegraph, telephone, and railroad rights of way.

SEC. 23. Shall employ attorney—Compensation.—The board of supervisors shall, within 60 days after organizing, employ an attorney to act for the district and to advise said board. Such employment shall be evidenced by an agreement in writing which, as far as possible, shall specify the exact amount to be paid to said attorney for all services and expenses. Such attorney shall conduct all legal proceedings and su'ts in court where the district is a party or interested, and shall in all legal matters advise the district and board, and generally look after and attend to all matters of legal nature for the said board and district. When the said board may deem it necessary they may, by and with the advice of said attorney, and under the like terms and conditions as above set forth, employ another attorney or attorneys.

SEC. 25. Board to take charge of land-When.-The board of supervisors of sewer districts organized under this act shall not have the right to enter upon or appropriate any land for rights of way or other works of the district, until the prices awarded to the owners of such land shall have been paid to such owners or into the hands of the circuit clerks of the courts organizing such districts for the use of such owners; and if the sums awarded be not so paid within five years from the date of filing the commissioners' report, all proceedings as to the taking of such property for rights of way and other works not so paid for shall abate at the cost of said district. Whenever any land is acquired by any district under the provisions of this act and the price of such property has been paid the owner by the district, the title, use, possession, and enjoyment of such property shall pass from the owner and be vested in the district, and subject to its use, profit, employment, and final disposition. The price awarded for all land acquired by any district for rights of way or other works and the amount of damages assessed by the board of commissioners and confirmed by the court to any tract or parcel of land or other property in the district shall be paid in cash to the owner thereof or to the clerk of the court for the use of such owner, and that portion of any tract or parcel of land or other property not taken for use of the district shall be assessed for the benefits accruing in accordance with the provisions of previous sections of this act.

Sec. 26. Warrants issued to be indorsed—When.—Any warrant issued under this act that is not paid when presented to the treasurer of the board of supervisors of the district because of lack of funds in the treasury such fact shall be indorsed on the back of such warrant, and such warrant shall draw interest thereafter at the rate of 6 per cent per annum, until such time as there is any money on hand to pay the amount of such warrant and the interest then accumulated, but no interest shall be allowed on warrants after such time when sufficient funds are in the treasury to pay said indorsed warrants and interest.

SEC. 27. Surety bonds to be payable to district.—All surety bonds required to be given by this act shall be made payable to the district by its corporate name, in which name all suits shall be instituted and prosecuted. All penalties herein named shall be payable to and recoverable by said district. All bonds required by this act shall cover defaults of deputies, clerks, or assistants of the officers appointing them.

SEC. 28. Change of venue—When allowed—Judge of other district may be called in.—No change of venue shall be allowed in any of the proceedings had

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under the provisions of this act, except where the judge of the court in which the petition shall have been filed shall be disqualified for any of the reasons stated in the statutes of this State relating to the change of venue in civil cases. If the judge of such court is disqualified or is charged by any person interested in the information of said district with being disqualified for any of the reasons stated in the statutes, it shall be the duty of said judge to call in a judge from some other judicial circuit of this State to sit and hear the proceedings and render his decree and judgment the same as the regular judge could have. Such judge shall retain jurisdiction in such sewer proceedings only until the disqualification of the regular judge of the circuit court shall have been removed. Said judge so called shall receive for his services mileage and \$10 per day for each day engaged. It shall be the duty of the clerk of the court in which the petition shall have been filed to make out and sign a bill for the amount of mileage and per diem of the judge so called in and forward said bill to the State auditor, who shall approve such bill and draw a warrant for such amount on the fund appropriated and set apart by the legislature to pay expenses and salaries of circuit judges.

Sec. 29. Action or suit shall not abate by reason of death or disability.—No action or suit under this act shall abate by reason of the death or disability of any party to any proceeding, but upon suggestion of such death or disability the cause shall stand revived in the name of his heirs, devisees, or legal representa-

tives, and the court shall so order.

Sec. 30. No appeal shall be permitted to delay work.—No appeal from any action of the circuit court had under this act shall be permitted to act as supersedeas or to delay any action or the prosecution of any work begun under the

provisions of this law.

SEC. 31. Board of supervisors shall make additional tax levies if necessary.—
If after determining the objections made to the commissioners' report, the court shall find that the estimated costs of works and improvements as reported by the board of commissioners, or as amended by the court exceed the estimated benefits, the court shall then render its decree declaring the incorporation of the district to be dissolved as soon as all costs incurred, which shall include court costs and all obligations and expenses incurred in behalf of the district by the board of supervisors, shall have been paid, and if the uniform tax levied under the provisions of this act be found insufficient to pay all such costs, the board of supervisors shall make such additional uniform tax levies as will be necessary to pay such deficiency: Provided, That in estimating the cost of constructing the works and improvements of the district the amount of interest that might accrue upon bonds that may be issued by the board of supervisors under the provisions of this act shall not be considered as a part of the cost of construction.

SEC. 32. Shall provide for compensation for work.—The board of supervisors, except where otherwise provided, shall by resolution at time of hiring or appointing provide for the compensation for work done and necessary expense incurred by any officer, engineer, attorney, or other employee, and shall also pay the fees, per diem, and necessary expenses of all court and county officers who may by virtue of this act render service to said district: Provided, however, That the general fee statute shall not apply to services rendered under this act by any county officer, but each such officer shall receive a reasonable compensation only for services actually rendered to be fixed by the court in which the proceeding is pending, except where otherwise provided in this act; that said corporation or petitioners for corporations may prepare, write, or print all copies of petitions, writs, orders, and decrees or other papers, and furnish same to the clerk or other officer for his use, and in such event such officer shall be entitled to receive as compensation for issuing the said writs and copies of petitions, decrees, orders, or other papers only the reasonable value of the services actually rendered.

SEC. 33. Defining meaning of word "owner" in act.—The word "owner," as used in this act shall mean the owner of the freehold estate, as appears by the deed record, and it shall not include reversioners, remaindermen, trustees, or mortgagees, who shall not be counted and need not be notified by publication, or served by process, but shall be represented by the present owners of

the freehold estate in any proceeding under this act.

Sec. 34. Petition to change brundary lines—Procedure.—The board of supervisors of any sewerage district organized under this act, for and in its behalf, or the owner or owners of any lot, tract, or parcel of any land in any territory lying adjacent to the district shall have the right to file a petition in the office

of the clerk of the court organizing such district, asking that the boundary lines of the district be changed or extended so as to annex and include such lots, lands, and territory. The petition shall describe the boundary lines of the territory sought to be annexed and state the names of 25 of the owners of such lots, parcels, or tracts lying wholly within the territory sought to be annexed. As soon as the petition shall have been filed, the clerk of the court shall give notice of such filing by causing publication to be made once a week for two consecutive weeks in some newspaper published in the district, if there be one, and if not, then in some newspaper published in the county. Such notice need not contain the names of the owners of said lands and other property nor descriptions of the lots or tracts owned by each, but it will be sufficient to describe the said lands by the boundary line or lines of the whole territory sought to be annexed by the district. The notice shall state the purpose of the petition, that the lands will be rendered liable to taxation to pay the cost of making and maintaining sewer improvements which may be found necessary or advisable, and that any owner of said lands or other property shall have the right to file objections to the petition on or before 10 days after the last publication of the notice, which said last day for filing petitions shall be stated in the notice. Any owners of land or other property sought to be annexed, not petitioning, or the board of supervisors of the district, if not petitioning, shall have the right to file objections within 10 days after the last publication of such notice, but not thereafter, setting out why said petition should not be granted; such objections shall be limited to a denial of the statements in the petition and shall be heard and determined by the court as early and speedily as possible, at either a regular, adjourned, or special term, and the court shall annex all lands and other property described in the petition that are found to be in need of sewer improvements and where the court finds that said lands lie in the same watershed, or may be conveniently connected, for sewer purposes, with the sewage system in the said district. After such extension or extensions shall have been made, the board of supervisors of the district shall proceed to construct sewers, laterals, and other facilities for the disposal of sewage in the district as enlarged by either constructing and putting into force or completing the sewer improvements set out in the sewer plan already adopted or to be adopted, or by formulating and adopting enlargements, additions, and extensions to the sewer system in the plan already adopted, and issue bonds to pay the cost of such enlargements, additions, and extensions; and thereafter the same shall be proceeded with in the same manner or as nearly as possible as provided in this act. Any petition filed under this section and all maps, profiles, and reports of the chief engineer of the district and the records of the board of supervisors shall be deemed prima facie evidence in all proceedings under this section as to all facts. The term "lying adjacent to the district," as used herein, shall be construed to the courts to mean situate nearby or in the vicinity of the district or touching such district in part or in whole. Any owner of lands or other property, or the board of supervisors for and on behalf of the district, shall have the right to appeal from the finding or decree of the court extending or refusing to extend the boundary lines of such district, said appeal to be prosecuted as provided for appeals in civil cases and shall be the exclusive remedy for review. The sewer plan of any sewer district organized under the provisions of this act may be changed, without any extension of the boundary of the district, by order of the board of supervisors on recommendation of the chief engineer of the district, provided that the same proceedings shall thereafter be had by petition to the circuit court, notice of a hearing, and reassessment of benefits and damages to the lands or other property in the district as is provided with respect to the adoption of the original sewer plan and the subsequent proceedings thereon as herein

SEC 35. May issue bonds—Interest per annum—Funds derived, how used.—The board of supervisors may, if in their judgment it seems best, issue bonds not to exceed 90 per cent of the total amount of the taxes levied under the provisions of this act, in denominations of not less than \$100 bearing interest from date at a rate not to exceed 6 per cent per annum, payable semiannually, to mature annually within 20 years commencing after a period of years not later than five years, to be determined by the board of supervisors, both principal and interest payable at some convenient banking house or trust company's office to be named in said bonds, which said bonds shall be signed by the president of the board of supervisors, attested with the seal of said district and by the signature of the secretary of the said board. All of said bonds shall

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be executed and delivered to the treasurer of said district, who shall sell the same in such quantities and at such dates as the board of supervisors may deem necessary to meet the payments for the works and improvements in the district. Said bonds shall not be sold for less than 95 cents on the dollar, with accrued interest, shall show on their face the purpose for which they are issued, and shall be payable out of money derived from the aforesaid taxes. A sufficient amount of the swerage tax shall be appropriated by the board of supervisors for the purpose of paying the principal and interest of the said bonds and the same shall, when collected, be preserved in a separate fund for that purpose and no other. All bonds and coupons not paid at maturity shall bear interest at the rate of 6 per cent per annum from maturity until paid, or until sufficient funds have been deposited at the place of payment and the said interest shall be appropriated by the board of supervisors out of the penalties and interest collected or delinquent taxes or any other available funds of the district. Any expense incurred in paying said bonds and interest thereon and a reasonable compensation to the bank or trust company for paying same, shall be paid out of other funds in the hands of the treasurer and collected for the purpose of meeting the expenses of administration. It shall be the duty of said board of supervisors in making the annual tax levy, as heretofore provided, to take into account the maturing bonds and interest on all bonds, and to make ample provisions in advance for the payment thereof. In case the proceeds of the original tax levy made under the provisions of this act are not sufficient to pay the principal and interest of all bonds issued, then the board of supervisors shall make such additional levy or levies upon benefits assessed as are necessary for this purpose, and under no circumstances shall any tax levies be made that will in any manner or to any extent impair the security of said bonds or the fund available for the payment of the principal and interest of the same. Said treasurer shall, at the time of the receipt by him of said bonds, execute and deliver to the president of the board of supervisors of the said district, a bond with good and sufficient sureties, to be approved by the said board of supervisors, conditioned that he shall account for and pay over as required by law and as ordered to do by said board of supervisors any and all money received by him on the sale of such bonds, or any of them, and that he will only sell and deliver such bonds to the purchaser or purchasers thereof under and according to the terms herein prescribed, and that he will return, duly canceled, any and all bonds not sold, to the board of supervisors when ordered by said board so to do, which said bond shall remain in the custody of the said president of said board of supervisors, who shall produce the same for inspection or for the use as evidence whenever and wherever legally requested so to do. The said treasurer shall promptly report all sales of bonds to the board of supervisors, which board shall, at reasonable times thereafter, prepare and issue warrants in substantially the forms provided in this act for the payment of the maturing bonds so sold and the interest payments coming due on all bonds sold. Each of said warrants shall specify what bonds and accruing interest it is to pay, and the said treasurer shall place sufficient funds at the place of payment to pay the maturing bonds and coupons when due as well as a reasonable compensation to the bank or trust company for paying same. The successor in office of any such treasurer shall not be entitled to said bonds or the proceeds thereof until he shall have complied with all the foregoing provisions applicable to his predecessor in office. The aforesaid bond of said treasurer may, if the said board shall so direct, be furnished by a surety or bonding company, which may be approved by said board of supervisors: Provided, If it should be deemed more exepedient to the board of supervisors, as to money derived from the sale of bonds issued, said board may, by resolution, select some suitable bank or banks or other depositary, as temporary treasurer or treasurers, to hold and disburse said moneys on the orders of the boad as the work progresses, until such fund is exhausted or transferred to the treasurer by order of the said board of supervisors. The funds derived from the sale of said bonds or any of them shall be used for the purpose of paying the cost of the sewerage works and improvements and such costs, expenses, fees, and salaries, as may be authorized by law and used for no other purpose.

SEC. 36. May levy maintenance tax.—To maintain and preserve the sewers and the sewer system or systems and appurtenances in the district, and for the purpose of defraying the current expenses of the district, the board of supervisors may, upon the completion of said improvements and on or before the 1st of September in each year thereafter, levy a tax upon each tract or parcel

of land and upon corporate property within the district, to be known as a "maintenance tax." Said maintenance tax shall be apportioned upon the basis of the net assessments of benefits accruing for original construction, shall not exceed 10 per cent thereof in any one year, and shall be certified to the collector of the revenue of each county in which lands of said district are situate in the same book in like manner and at the same time as the annual installment tax is certified, but in a separate column, under the heading "Maintenance tax." Said collector shall demand and collect the maintenance tax and made [make] return thereof and shall receive the same compensation therefor and be hable for the same penalties for failure or neglect so to do as is provided herein for the annual installment tax.

SEC. 37. May reassess and adjust benefits and damages accruing.—The board of supervisors shall have a right at any time to file a petition in the office of the clerk of the circuit court of the county wherein such sewerage district is situate alleging that certain lots, tracts, or parcels of land therein have undergone a change in use or improvements thereon since the time of the confirmation of the last assessment roll, and praying that a board of three commissioners, possessing the qualifications as in this act prescribed, shall be appointed to reassess and adjust the benefits and damages accruing to the lots, tracts, or parcels of land and improvements thereon described in the petition, and thereafter such proceedings, shall be had, including notice, as in this act is prescribed

in the first instance for the assessment of benefits and damages.

SEC. 38. Shall have privilege of paying assessment in full.—Any person, firm, or corporation owning land or other property assessed for the construct on of any sewer, sewers, or other improvement or improvements under the provisions of this act shall have the privilege of paying such assessment in full, to the treasurer of the board of supervisors, at any time on or before a date to be determined by the board of supervisors, and the amount to be so paid in full shall be the full amount of the sewer tax levied, less any amount added thereto to meet interest. When any such sewer tax or assessment shall have been paid, the secretary of the board of supervisors shall enter upon the sewerage-tax record opposite each tract for which payment shall have been so made, the words "paid in full" and the amount so paid, and such assessment shall be deemed satisfied; and said secretary shall also make or cause to be made the same entry opposite each tract for which payment is so made in the table included in the certificate filed in the office of the recorder of deeds, as in this act required; provided, however, that nothing in this section shall be so construed as to prevent or hinder any reassessments of benefits as in this act provided.

SEC. 39. May remove any officer, attorney, or employee.—The board of supervisors may at any time remove any officer, attorney, or other employee appointed

or employed by said board.

Sec. 40. Authority to regulate and control house connections.—The board of supervisors of any sewerage district organized under the provisions of this act shall have power and authority to regulate and control all house connections made with any sewer or drain forming a part of the sewer system of the district and to compel the connection therewith of all house drains or drains from any building or, other structures in the district under such rules, regulations, and penalties as may be prescribed by said board or as may be prescribed by law.

Hairdressing and Cosmetology—Repeal of Law Relating to. (Act April 4, 1927)

[This act repeals the act of April 30, 1925, appearing on pages 240 to 253, inclusive, laws of 1925, and relating to hairdressing and cosmetology.]

¹ Supplement 59 to Public Health Reports, p. 289.

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State Tuberculosis Hospital—Admission, Treatment, and Maintenance of Patients. (Ch. 4, Act February 2, 1927)

SECTION 1. That section 1520 of the Revised Codes of Montana of 1921 be,

and the same is hereby, amended to read as follows:

"Sec. 1520. Admission of patients to sanitarium-Soldiers, sailors, and marines.—The executive board of said sanitarium is hereby given power and authority to receive therein patients who have no ability to pay, but no person shall be admitted to the sanitarium who has not been a citizen of this State for at least one year, excepting that a female who has been a resident of the State for at least five months preceding the date of the application may be admitted, though not a citizen. Every person desiring free treatment in said sanitarium shall apply to the local au horities of his or her town, city, or county having charge of the relief of the poor, who shall thereupon issue a written request to the president of said sanitarium for the admission and treatment of such person. Such request shall state in writing whether the person is able to pay for his or her care and treatment while at the sanitarium, which request and statement shall be kept on file by the president in a book kept for that purpose in the order of their receipt by him. No person shall be admitted as a patient in said institution without certificate of an examining physician certifying that such applicant is suffering from tuberculosis, or what is commonly called miner's consumption, and, if upon the reception of a person at such sanitarium, it is found by the authorities thereof that he or she is not suffering from tuberculosis or miner's consumption, he or she shall be returned to the place of his or her residence, and the expenses of transportation to and from the sanitar um shall be paid by the county of which he or she is a resident. Admissions to said sanitarium shall be made in the order in which the names of applicants shall appear upon the application book to be kept as above provided by the president of said sanitarium, in so far as such applicants are subsequently certified by the said examining physician to be suffering from tuberculos s or miner's consumption: *Provided, however*, That where the next patient in order is a man and the only accommodations available in the sanitarium are for women or children, then women or children shall be admitted in their proper order, and vice versa. Every person who is declared, as herein provided, to be unable to pay for his or her care and treatment shall be transported to and from the sanitarium at the expense of said local authorities and cared for, treated, and maintained therein at the expense of the county or municipality which would otherwise be chargeable with the support of such poor or ind gent persons, and the expense of transportation, treatment, maintenance, and actual cost of articles of clothing furnished by the sanitarium to such poor and indigent persons shall be a county or town charge, as the case may be: Provided further, That any soldier, sailor, or marine who has served in the Army or Navy of the United States and was at the time thereof a citizen or had established his residence in the State of Montana, who on discharge therefrom is found to be suffering from tuberculosis, and whose admission to the Montana State Tuberculosis Sanitarium is requested by the proper Federal authorities, shall be entitled to be admitted thereto and shall be classed for the purpose of admission on the same basis as free patients, and all such soldiers, sailors, or marines shall be given priority for entrance thereto over other applicants in the order in which their applications for admittance are received and filed.

"The treasurer of the sanitarium shall collect and receive any sum or sums the Federal Government may allow or pay for such purpose, and shall pay the

same over to the State treasurer."

Milk and Milk Products-Pasteurization. (Ch. 136, Act March 9, 1927)

Section 1. The process of pasteurization as applied to milk, skim milk, cream, and other milk products is hereby defined to be a process for the elimination therefrom of organisms harmful to human beings, which process shall consist of one of three following methods:

1. Uniformly heating such milk, skim milk, or cream, as the case may be, and holding the same at a minimum temperature of 145° F. for a period of not less than 30 minutes or more than one hour.

2. Heating such milk, skim milk, or cream and holding the same at a minimum temperature of 170° F. for a period of not less than 10 minutes.

3. The flash method which consists of heating such milk, skim milk, or cream

to a temperature of at least 185° F.

SEC. 2. That within the State of Montana all milk or cream used in a creamery for the purpose of being made into butter for sale or other commercial purposes shall be pasturized by one of the three methods required in this act. A creamery shall be defined as a place where the milk or cream from three or more herds of cows, owned and kept independently of one another, is used for making into butter for sale or other commercial purposes.

SEC. 3. That within the State of Montana all milk or cream used in the manufacture of ice cream made for sale shall be pasteurized before being made into such ice cream, and all butter used in the manufacture of ice cream made for sale shall be made from pasteurized materials. The method of pasteuriza-

tion employed shall be one of the three methods required in this act.

It is provided, however, that ice cream may be made without pasteurization and sold when all milk or cream used in its manufacture is from cows that have been tuberculin tested within one year preceding the date of such manufacture and found to be nonreacting and when all other requirements of the laws of the State of Montana have been complied with. That in each and all places, within the State of Montana, where ice cream is sold, and the provisions of this act have been complied with, a notice issued under the authority of the division of farming and dairying of the State department of agriculture, labor, and industry and countersigned by the chief of said division of farming and dairying shall be posted in a conspicuous place, informing the public that the ice cream sold or offered for sale there is made from pasteurized materials, or from milk or cream from tuberculin-tested and nonreacting cows, as the case may be.

SEC. 4. All apparatus used for the pasteurization of milk, skim milk, or cream shall be kept in strictly clean and sanitary condition and every pasteurizing plant shall be equipped with sufficient recording thermometer devices to accurately record the temperature to which and the length of time for which the pasteurized product has been heated. All recording thermometer devices used in the pasteurization of any milk, skim milk, or cream must be approved by and at all times subject to the approval of the department of agriculture, labor, and industry of the State of Montana. Any person, firm, or corporation using pasteurizing apparatus within the State of Montana shall date, preserve, and keep on file for a period of not less than two months after the same are made all records made by such thermometer, or in lieu of such preservation may deliver such records to any public officer authorized by law or ordinance to receive same, and said records shall at all times be open to the inspection of said department of agriculture, labor, and industry, State board of health, livestock sanitary board, and of all other State, county, and municipal officers charged with the enforcement of laws and ordinances respecting dairy products or the public health.

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Sec. 5. It shall be unlawful for any person, firm, or corporation by himself or itself, or by his or its servant, agent, or employee, to sell, offer for sale, or exchange, or have in his or its possession for sale or exchange any milk, skim milk, cream, butter, or ice cream in any container or package marked, labeled or in any other way designating the contents thereof as "pasteurized," unless the same has been treated by such a process of pasteurization as is required by the laws of the State of Montana or have been made from pasteurized

materials

SEC. 6. Any person, firm, or corporation who either directly or indirectly, or by his or its servant, agent, or employee, shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and shall be punished by a fine of not less than \$25 nor more than \$200, or by imprisonment in the county jail for not less than 10 days nor more than 60 days, or by both such fine and imprisonment.

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Milk or Cream Buying or Collecting Stations—License Fee—Floor Space— Steam Boiler for Furnishing Steam to Sterilize Milk and Cream Cans. (Ch. 142, Act March 9, 1927)

Section 1. Hereafter all milk or cream buying or collecting stations shall pay an annual license fee of \$5 for all stations handling less than 1,500 pounds of butterfat per month; \$10 for all stations handling 1,500 pounds and less than 3,000 pounds; \$15 per month for all stations handling 3,000 pounds and less than 6,000 pounds; \$20 for all stations handling 6,000 pounds and over.

Sec. 2. The room in which any milk or cream buying or collection station shall hereafter be operated in this State shall contain floor space large enough for all equipment in said station, including cooling tank of sufficient size to

hold all cream bought or collected at such station on each day.

All such stations collecting more than 1,500 pounds of butterfat per month shall be equipped with a steam boiler large enough to furnish sufficient steam to thoroughly sterilize milk and cream cans. No stove or heating apparatus other than a steam boiler shall be permitted to be used for the purpose of heating water with which to cleanse utensils used in a cream station collecting more than 1,500 pounds of butterfat per month, providing the provisions of this section shall not apply to forwarding stations in which no testing for butterfat is made.

Sec. 3. Any person, firm, or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$25 and not more than \$100, or imprisonment in the county jail for not to exceed six months, or by both such fine and imprisonment.

Oleomargarine, Imitation or Filled Cheese, or Substitutes for Dairy Products— License for Sale of. (Ch. 10, Act February 11, 1927)

SECTION 1. That chapter 188 of the laws of 1925 be, and the same is hereby,

amended to read as follows:

"That it shall be unlawful for any person, firm, or corporation, by himself, his, or its servant or agent, to sell, exchange, offer for sale, or have in possession with intent to sell or offer for sale or exchange, any oleomargarine, imitation or filled cheese, or any substitute for any dairy product made from milk or cream, without first securing a license from the State department of agriculture, labor, and industry to conduct such sale or exchange. The fee for such license shall be \$250 for a license to sell at wholesale and \$75 for a license to sell at retail. Said amount or amounts shall be paid at the beginning of each quarter of the calendar year or at the time when application for license is made, and a license shall be issued to cover the following quarterly period or such part of it as remains at the time such license is issued. Such license shall be posted in a conspicuous place in each store or place of business for the inspection of the public and may be revoked by the commissioner of agriculture, labor, and industry for failure of the holder thereof to comply with the laws of the State of Whenever any person, firm, or corporation, by himself, his, or its servant or agent, or as the agent or servant of another, conducts such sale or exchange in more than one place of business, a separate license shall be obtained for each place of business and a separate fee shall be paid for each such license.

"Any person, firm, or corporation violating any of the provisions of this act shall be deemed guilty of a misdemeanor and punished by a fine of not less than \$100 and no more than \$500, or by imprisonment for not less than 30 days

nor more than 6 months, or by both such fine and imprisonment."

Sec. 2. All acts and parts of acts in conflict herewith are hereby repealed. Sec. 3. This act shall be in full force and effect from and after April 1, 1927.

Meat of Cattle—License for Sale of—Examination of, by Certain Purchasers for Inspection Stamp. (Ch. 121, Act March 9, 1927)

Section 1. Every person, firm, corporation, or association who at a fixed location slaughters or causes to be slaughtered neat cattle for the purpose of selling or distributing any of the meat or by-products of such cattle in this State, or who at a fixed place of business deals in or sells dressed meats, shall for the purpose of this act be designated as a "butcher." Every other person, firm, corporation, or association who slaughters or causes to be slaughtered any neat cattle, or who deals in the selling of dressed meats elsewhere than at a fixed place of business, shall for the purpose of this act be deemed a "meat peddler."

Sec. 2. Every butcher shall pay to the county treasurer of each county wherein such butcher sells or distributes any meat or by-products of neat cattle an annual license of \$5, payable in advance in the month of January of each year. Every meat peddler shall pay to the county treasurer of each county wherein such peddler sells or distributes any meat or by-products of neat cattle an annual license of \$100. This section shall not apply to the sale of meat by any person, firm, corporation, or association who may slaughter or cause to be slaughtered any neat cattle of his own raising. The moneys collected from said license fees shall be placed in the general fund of the county to which they are paid.

Sec. 5. It shall be unlawful for any person or persons to purchase the carcass or any part thereof of any beef or veal without first making an examination and inspection for the State or Federal inspection stamp. The provisions of this section shall not apply to any person or persons who shall purchase at retail beef or veal in quantities less than one quarter of an animal.

Sec. 6. In addition to the penalties provided by section 7 of this act, any meat peddler, as defined by this act, who shall violate any of the terms of this act shall suffer a forfeiture of the license required by this act, and no meat peddler's license shall again be issued to such person until the expiration of

one year from the date of such conviction.

Sec. 7. Any person or persons who violate any of the provisions of this act, or who willfully falsifies any of the records required by this act, or who willfully falsifies any of the records required by this act to be kept, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail for a period of not less than 30 days nor more than 6 months, or by both such fine and imprisonment for the first offense, and for each subsequent offense shall be deemed guilty of a felony and punished by imprisonment in the State prison for not less than one year nor more than five years.

Sec. 8. The provisions of this act excepting section 2 shall not apply to butch-

ers operating under Federal inspection.

Sec. 9. Chapter 75 of the Session Laws of the Eighteenth Legislative Assembly of Montana of 1923 and all acts and parts of acts in conflict herewith are hereby repealed.

SEC. 10. This act shall take effect on and after June 1, 1927.

Habit-Forming Drugs-Sale or Dispensing. (Ch. 91, Act March 8, 1927)

Section 1. That section 3186 of the Revised Codes of Montana, 1921, be and the same is hereby amended to read as follows:

Sec. 3186. Sale of opium, morphine, mariahuana, and their derivatives .- It shall be unlawful for any person to sell, furnish, or dispose of any opium, morphine, alkaloid-cocaine, or alpha or beta eucaine, or codeine, or heroin, or mariahuana (*Cannabis indica*), or any derivative, mixture, or preparation of any of them except upon the signed prescription of a physician or veterinarian duly licensed under the laws of the State, which prescription should be retained by the person dispensing the same, shall be filled but once, and of which no copy shall be taken by any person except as hereafter provided. The person dispensing the same at the time thereof shall indorse on the back of such prescription the name, street, and house number of the person to whom dispensed; and the proprietor or manager of the store where dispensed shall keep the prescriptions in a permanent file, separate from all other prescriptions, in his place of business for the period of two years after the same should have been dispensed, and at any time shall allow the same to be inspected and copies thereof to be made by any peace officer, prosecuting attorney of the county where sold, or any authorized instructor [inspector] of drugs: Provided, That nothing herein contained shall prohibit any manufacturer or licensed druggist from selling or delivering any of the above named to a person known to be a licensed physician, licensed veterinarian, or licensed druggist, nor prohibit a physician or veterinarian from dispensing the same in good faith to his patients, nor prohibit the sale of patent or proprietary or medicinal preparations containing opium or morphine in combination or compound with other active elements, where the dose of opium is less than one-quarter grain, or morphine in more than one-twentieth grain, or codeine in more than one-quarter grain, or heroin in more than one-twelfth grain, or in which mariahuana (CanMONTANA 497

nabis indica) is present in quantities not greater than one-fourth grain of the solid extract to the fluid or avoirdupois ounce.

Indians—Authority of State Board of Health to Administer Expenditure of Federal Appropriations for Health Work Among. (Ch. 65, Act March 8, 1927)

Section 1. If and whenever the Congress of the United States shall authorize the administration of Federal appropriations for the welfare of the Indians of Montana through the agency of public departments and bureaus of this State, full power and authority is conferred upon such State agencies to administer the expenditure of such Federal appropriations for the welfare of such Indians within the scope of the powers conferred upon such departments

by law.

Sec. 2. In furtherance of this authorization, the State board of health is hereby authorized, empowered, and directed to administer the expenditure of all such Federal appropriations as may be made for the care and hospitalization of and for medical attention to sick or injured Indians, and for the control and prevent on of communicable and infectious diseases, and general sanitation among the Indians of Montana. * * * Subject to such limitations as the Congress of the United States or the Secretary of the Interior may lawfully impose upon the administration of such funds, the several State departments above mentioned are authorized to expend the same for the purposes within their respective jurisdict ons which in the opinion of the respective heads of said departments will best conserve the interests and welfare of all the Indians residing within the State of Montana.

SEC. 3. If the Congress of the United States shall require the subm ssion of budgets to the Secretary of the Interior or any other Federal agency before an horizing the expenditure of Federal funds, such State agencies are hereby authorized to prepare budgets showing the amounts necessary during each year to carry out the purposes for which such Federal appropriations may be made and shall submit such budgets when prepared to the State board of control, who shall coordinate the same so far as possible and approve them before they are forwarded to the Federal agency charge with receiving them by Congress. Thereafter said State agencies shall account directly to the Federal disbursing and auditing officers and employees of each of said departments shall be responsible upon their official bonds to such Federal disbursing and auditing officers for a proper accounting for all funds so disbursed.

NEBRASKA

Communicable Diseases—Reportable Diseases Designated—Control Measures for Specific Diseases—Quarantine. (Reg. Dept. of Public Welfare, July 1, 1927)

[The new or amended portions of the communicable disease regulations 1 read as follows:]

REPORTABLE DISEASES.—In order to prevent and control disease knowledge of the existence, location, and the source of infection is essential; therefore the following-named diseases are hereby declared to be contagious, communicable, or infectious in their nature and shall be reported as hereinafter provided:

Anthrax, chicken pox (varicella), diphtheria, encephalitis lethargica. German measles (rubella), influenza, leprosy, measles, meningitis, cerebrospinal (epidemic), mumps, ophthalmia neonatorum, paratyphoid fever, poliomyelitis (acute), rabies, scarlet fever, septic sore throat, smallpox (variola), trachoma, tuberculosis, typhoid fever, whooping cough (pertussis).

Chicken pox.— * * * Period of incubation: Fourteen to seventeen days.

Method of control: * * *

(B) General measures.— * * * 2. Schools: Children in the same house who have not had the disease may attend a school where daily inspection is made by a physician or nurse; otherwise such children are debarred from school for the incubation period of the disease. Children in such home who can establish the fact of having had chicken pox may continue in school.

Diphtheria.- * * * Methods of control: * * *

(B) General measures.— * * * 4. Toxin-antitoxin vaccination of all children to render them immune to diphtheria is urgently recommended, as it is simple, safe, and so sure that if universally practiced would render diphtheria almost a disease of the past.

Measles.- * * * Method of control:

(A) The infected individual and his environment—1. During the onset of measles or prodromal period, the patient is often but slightly ind sposed for the first, perhaps, three days. Probably slight fever and seeming cold in the head, but not ill enough to consult a physician, or stay in the house. Yet this is the time when he is scattering the d sease to all he comes in contact with who have not had the disease. Manifestly, this is the most opportune time to control by recognizing the very early symptoms and isolating the patient to the home.

Rubella (German measles).— * * * Period of incubation: Ten to twenty-one days; usually sixteen days.

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Methods of control: * * *

(B) General measures.—1. Exclusion of nonimmune children from public gatherings from the tenth to the twenty-second day from the date of exposure to recognized case.

¹ Supplement 59 to Public Health Reports, p. 293; Supplement 51 to Public Health Reports, p. 192.

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Scarlet fever.—Source of infection: It is now generally recognized that the germ causing the disease is a strain of the streptococcus hemolyticus variety; that this infecting agent is contained in the secretions from the mouth, nose, and throat, in the blood, and in the lymph nodes, and it is given off in these secretions, discharges from diseased ears, and broken-down glands of infected persons.

Quarantine: * * *

(B) Of patients: * * * Though the use of antitoxic serum may seem to and perhaps does shorten the course of the disease in many cases, yet just when a convalescent case ceases to be infectious is a difficult question to determine in any case, and in view of the fact that there are no practical methods known at present to determine when the case ceases to be a carrier the quarantine must not be shortened or modified.

Typhoid fever.— * * * Period of incubation: Ten to twenty-three days.

Whooping cough (pertussis).— * * * Period of incubation: Four to four-teen days.

Quarantine and placard.— * * * When the head of the family or breadwinner desires to be quarantined out the local board of health at its discretion may so arrange if not endangering public health: Provided, That if the disease is smallpox, no one can be quarantined out unless he or she can prove to have had smallpox or to have been vaccinated within the preceding six years or submit to vaccination.

Certain Local Health Officials—Duties. (Reg. Dept. of Public Welfare, July 1, 1927)

[The new or amended portions of the regulations relating to local health authorities read as follows:]

Sanitation and quarantine.— * * * 4. Quarantine officer: The quarantine officer shall see that quarantine or placard is immediately established and enforced and as quarantine officer for the boards shall prosecute violators thereof. He shall notify all physicians residing or practicing in his jurisdiction to the effect that diseases which are quarantinable or placardable as per rules and regulations shall be reported immediately upon seeing same. When no physician is in attendance, it becomes the duty of the head of the house or institution to immediately notify the secretary to the effect that a communicable disease exists. The quarantine officer is the logical person to investigate complaints and reported violators seeking assistance from the medical adviser when such advice is needed.

5. Medical adviser: * * * If conditions are found where the medical adviser can render assistance, he shall give same immediately, but should the condition require further advice, as, for example, a knowledge of sanitary engineering, etc., the matter is to be referred by the board to the State bureau of health.

6. * * * Secretary town board: The secretary shall keep a record of the proceedings of all meetings, require physicians or others whose duty it may be to report to make such report promptly to his office. He shall keep a record of cases, promptly establish quarantine as needed, make a record when placed, and minimum time for release.

Cannabis—Importation, Production, Sale, or Dispensing. (Ch. 145, Act April 13, 1927)

Section 1. Cannibas [sic], importation of.—It shall be unlawful to import into the State of Nebraska cannibas, also known as hashish and mariguana[sic], in any form or any preparation or derivative thereof: Provided, That cannibas,

² Supplement 51 to Public Health Reports, p. 203.

also known as hashish and mariguana, may be imported for medicinal purposes only, and then only by licensed pharmacists, licensed physicians, and

licensed veterinarians of the State of Nebraska.

SEC. 2. Penalty.—If any person shall fraudulently or knowingly import or bring into the State of Nebraska, or assist in so doing, any cannibas or any preparation or derivative thereof contrary to law, or shall receive, conceal, or in any manner facilitate the transportation or concealment of such cannibas or preparation or derivative thereof, after importation, such cannibas or preparation or derivative thereof shall be forfeited, and shall be destroyed, and the offender shall be fined in any sum not exceeding \$500 and not less than \$100, or by imprisonment in the penitentiary for any time not exceeding three years and not less than one year, or both.

SEC. 3. Planting and cultivation unlawful.—It shall be unlawful for any person, association, or corporation within this State to plant, cultivate, produce, sell, barter, or give any cannibas, be it known by whatever name, or preparation or derivative thereof, or offer any such cannibas, or preparation or derivative thereof, for sale, gift, barter, or trade: Provided, Nothing in this section shall be held to apply to such sale, gift, barter, or trade of cannibas by licensed physicians or veterinarians or licensed pharmacists upon the written prescription of regular licensed physicians when the same is intended for medicinal or

scientific purposes only.

SEC. 4. Same, penalty.—Any person violating any of the provisions of the last preceding section shall, for the first offense be imprisoned in the county jail for a period of not less than three months nor more than six months, and for the second and any subsequent offense shall be imprisoned in the penitentiary for not less than one year and not more than two years.

Animals—Powers and Duties of Department of Agriculture Regarding the Prevention, Suppression, Control, and Eradication of Communicable Diseases in—Reports of Communicable Diseases in—Disposal of Carcasses—Movement of, When Affected with Communicable Disease—Examination of, on Protest Against Order of Destruction Because Affected with Communicable Disease—Appraisal of, When Affected with Communicable Disease. Cattle—Inspection and Tuberculin Testing—Destruction of Tuberculous Animals—Indemnity to Owners of Destroyed Animals. Tuberculin—Regulation of Sale and Use Authorized. Horses or Mules Affected with Glanders or Dourine and Animals Affected with Foot-and-Mouth Disease—Destruction—Indemnity to Owners of Destroyed Animals. Rendering Establishments—License—Transportation to, of Carcasses of Animals Dead of Disease. (Ch. 12, Act April 4, 1927)

ARTICLE I

Section 1. General powers and duties.—The department of agriculture shall be vested with the power and charged with the duties of protecting the health of livestock in Nebraska, of determining and employing the most efficient and practical means for the prevention, suppression, control, and eradication of dangerous, infectious, contagious, or otherwise transmissible diseases among domestic animals, and to that end of placing in quarantine any county, or part of any county, or any private premises, or private or public stockyards, and of quarantining any domestic animal or animals infected with such disease or which have been, or are suspected of having been, exposed to infection therefrom, and of killing any animal so infected, and of regulating or prohibiting the arrival into and departure from and movement within the State of animals infected with such disease or exposed, or suspected of having been exposed, to the cause, infection, or contagion therefrom, and, at the cost of the owner, of detaining any domestic animal found in violation of any departmental or statutory regulation or prohibition.

SEC. 2. Examinations—Inspections—Regulations—The department of agriculture shall enforce the provisions of this act. It shall make or cause to be made all necessary examinations and inspections and shall have authority to promulgate such rules and regulations as are necessary to promptly and efficiently enforce and effectuate the general purpose and provisions of this act. Said regulations shall be published once in at least one daily newspaper published within the State, or in lieu thereof, at the option of the department, posted in not less than five public places in the State, and either manner of

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publication shall be deemed a legal notice to all persons.

SEC. 3. Officer or agent may enter upon premises.—The department and any officer, agent, employee, or appointee of said department shall have the right to enter upon the premises of any person who has, or is suspected of having, any domestic animal or animals thereon, for the purpose of making any and all inspections, examinations, tests, and treatments of such animals and to declare, carry out, and enforce any and all quarantines.

SEC. 4. Powers of veterinary inspector, United States Bureau of Animal Industry.—Any veterinary inspector or agent of the United States Bureau of Animal Industry who has been officially assigned by said bureau for service in Nebraska may be officially authorized by the department to perform and exerciset such powers and duties as may be prescribed by the department, and when so authorized shall have and exercise all rights and powers vested by this act

in agents and representatives in the regular employ of the department.

Sec. 5. Powers of officers.—The department or any officer, agent, employee, or appointee thereof shall have power to call upon any sheriff, deputy sheriff, constable, or other police officer to execute the orders of the department, and the officer shall obey the orders of said department; the officers performing such duties shall receive compensation therefor as is prescribed by law for like services and shall be paid therefor by the county. Any officer may arrest and take before any justice of the peace or county judge of the county any person found violating any of the provisions of this act, and such officer shall immediately notify the county attorney of such arrest and such county attorney shall proceed to prosecute the person so offending according to law.

ARTICLE II. TUBERCULOSIS

Section 1. Petition required for testing.—Whenever petitions signed by 60 per cent or more of the owners residing in any county representing 51 per cent of breeding cattle therein as disclosed by the last assessment rolls of such county shall be presented to the Department of Agriculture, asking that all breeding cattle herds in such county be tested for tuberculosis, said department is hereby authorized to make such tests without expense to the owners, to the extent of the funds provided therefor. Said petition shall be upon forms prepared by the department and upon which the circulator thereof shall make oath that he is the person who circulated the petition; that each of the petitioners signed his name thereto in his presence and that he knows that said petitioners are residents of the county wherein said petitions were circulated. Upon the filing of such petition the department shall fix a time for a hearing upon said petition and any objections filed thereto and cause a notice, setting forth the filing of such petition and the date fixed for hearing, to be published for three weeks in some newspaper of general circulation in the county within which the petitioners reside. If it shall be determined at said hearing that the petition is sufficient to satisfy the statute the department shall declare the county in which the petitioners reside to be an area for the inspection, examination, and testing of the breeding cattle therein for tuberculosis in the manner provided by law. After such area has been established the department shall fix a time for the commencement of the work of making such inspection, examination, and tests and the department shall publish notice in at least one newspaper of general circulation in such county, giving notice of the time fixed when such testing will begin within the county.

SEC. 2. Petition—Hearing.—The petitions provided for in the preceding section, when presented to and filed with the department, shall until the hearing thereon be prima facie evidence and if not challenged at said hearing shall be conclusive evidence that they have been properly circulated; that the signatures appended thereto are the genuine signatures of the persons signing the same; that such petitioners are owners of the number of breeding cattle in said petition specified, and of each and every material and jurisdictional fact

therein stated or contained,

Sec. 3. Interference with inspection a misdemeanor.—At any time after the date fixed for commencing the work, any member or agent of the department, and all inspectors or persons appointed or authorized to assist in the work, may enter any barns, stables, yards, pastures, or other buildings or inclosures where cattle may be for the purpose of making such inspection and test and any person who shall interfere therewith or obstruct anyone in said work, or attempt to obstruct or prevent by force the carrying on of such inspection and

testing, shall be guilty of a misdemeanor and shall be punished as provided by the general penalty provisions of this act.

Sec. 4. Animals exempt from test.—Steers and other cattle in feed lots being fed for market and steers brought in for feeding and grazing purposes shall be exempted from test when kept separate and apart from tested cattle under the

rules and regulations of the department,

SEC. 5. Moving cattle to another county.—Before any breeding or dairy cattle shall be brought from a county not a modified accredited area into any county after tuberculin testing shall have been commenced therein, or before any breeding or dairy cattle shall be moved from one part of such county to another, such cattle shall first be tuberculin tested, under such rules and regulations as shall be promulgated by the department, and shall be found to be free from tuberculous infection.

SEC. 6. Order of tests.—The counties shall be tested in the order that petitions therefor are received, unless the department shall decide that it is not expedient to make the tests in that order. All cattle shall be considered under supervision of the department so long as such county is maintained as an area and all tubercuin tests shall be made under rules and regulations of the

department.

SEC. 7. Retests.—Retests shall be made by the department in all such areas at such intervals as the department may deem necessary to protect the work already done, and to preserve for such counties their standing as accredited or area tested counties under the uniform methods and rules adopted by the United States Bureau of Animal Industry for the establishment and maintenance of tuberculosis-free accredited herds and modified accredited areas, and under the provisions of any agreement entered into between the United States Bureau of Animal Industry and the Nebraska Department of Agriculture. Such retests shall be made at such times and in such manner as the department may determine. Such retests shall be given preference over initial tests in subsequently established areas. The department is authorized to make such retests in any county in the State which has been declared an area without

petitions asking for such retests.

Sec. 8. Department to certify expense to county tested.—When any county has been declared an area under the provisions of this act the department shall estimate the expense of making an inspection and test within such county, not including therein the salary and subsistence of the officers, agents, employees, and appointees of said department engaged in making such inspection and test, and certify such estimate to the board of county commissioners or supervisors of said county who shall include the same in their next annual estimate of county expenses. For the purpose of contributing to the cost of making such tests or of making retests ordered by the department, every county in which such inspections and tests have been made shall pay into the State treasury the cost of such inspections and tests, not including therein the salaries and subsistence of the officers, agents, employees, and appointees of said department engaged therein, but such sum shall not exceed 15 cents for each bovine animal tested as determined by the department. Such fund shall be added to the State appropriation to be used for the eradication of bovine tuberculosis. On July 15 of each year the department shall report and certify the amount of such expenses to the county clerk of the county in which such tests and retests were made, and the county board of such county shall thereupon cause such sum to be then paid out of the general fund of such county to the State treasurer.

SEC. 9. Slaughtered animals—Reimbursement.—Whenever any bovine animal has reacted to the tuberculin test, or has otherwise been determined to be affected with tuberculosis by the department, such animal shall be branded, quarantined, and slaughtered pursuant to the rules and regulations promulgated by the department, and the owner shall be compensated by the State from a State fund created for such purpose in a sum not to exceed \$15 for any grade animal nor more than \$30 for any purebred animal, and such compensation shall in no event exceed one-third of the difference between the appraised value, determined as hereinafter provided by this act, of any animal and the value of the net salvage received by the owner from the slaughter of such animal: Provided, When such owner does not receive compensation from the Federal Government for such animal or animals, such owner may receive double the amount of indemnity from the State of Nebraska: Provided further, however, That no compensation shall be paid by the State of Nebraska except for breeding cattle, which shall be construed to mean any sexually entire

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bovine animal at the time when such animal is slaughtered, as herein provided. Furthermore, no compensation may be paid unless all lawful quarantine regulations of the department have been complied with, nor until the premises contaminated by the tuberculous animal or animals have been properly cleaned and disinfected in accordance with the rules and regulations approved by the department; and no compensation shall be paid until or unless a tuberculin test has been applied under the rules and regulations of the department on the entire herd or lot of cattle of which such tuberculous animal was a part at the time of, or immediately prior to, the making of the tuberculin test under which such animal was determined to be tuberculous, and no compensation shall be paid for any animal not having been owned and kept within this State for a period of at least three months immediately preceding the time of making such test.

SEC. 10. Tests under preexisting legislation.—Where any county has been declared an area for the inspection, examination, and testing of cattle for tuberculosis under the provisions of any preexisting legislation of this State, or where, prior to the passage of this act, a systematic inspection, examination, and testing of cattle for tuberculosis has been undertaken in any county on a cooperative basis by the United States Bureau of Animal Industry and the Nebraska Department of Agriculture, and more than 5,000 cattle have been tested in such county prior to the passage of this act, the inspection, examination, and testing of cattle for tuberculosis in such county or counties may be continued by the department under the provisions of this act without petition or hearing in all respects as if such petition had been filed and hearing had and the county declared an area hereunder.

Sec. 11. Appropriation used by department.—It is provided that the department of agriculture may use not to exceed 15 per cent of the fund appropriated by the legislature for tuberculosis eradication for accredited herd work outside

of the counties operating under the county area plan.

Sec. 12. Test of cattle from other States.—The department may in its discretion require all cattle shipped into the State for breeding or dairy purposes to be tested for tuberculosis after their arrival in the State under rules and regulations which may, from time to time, be promulgated by the department.

Sec. 13. Plugging unlawful.—It shall be unlawful for any person to inject or apply tuberculin into or on any domestic an mal, or to cause or to permit the same to be done, for any other purpose than to ascertain, determine, or diagnose the presence of the disease tuberculosis, or to inject or apply tuberculin on any domestic animal for the purpose of "plugging" or for the fraudulent purpose of concealing the presence of tuberculosis in said animal, or for the purpose of preventing future reactions to tuberculin.

Sec. 14. Within the meaning and provisions of this act the term "tuberculin" is declared to mean any substance prepared by the cultivation, extraction, disintegration, crushing, grinding, or by any other process of the bacillus

tuberculos's.

Sec. 15. The department is hereby authorized and empowered to regulate the sale and distribution of tuberculin in this State to determine to what persons or class of persons it may be sold, and by whom and in what manner the same may be used.

ARTICLE IV. GLANDERS AND DOURINE

Section 1. Whenever any horse or mule shall be found by any inspector or person employed or authorized by the department to make inspections to be affected with glanders or dourine, its value shall be determined by appra'sement as in this act provided, and the owner or the custodian having such affected animal in charge shall, immediately after the determination of its value, as in this act provided, cause the same to be killed and cause the carcass and all parts thereof to be destroyed and disposed of as directed by the department, and on presentation to the department of evidence that the provisions of this act have been complied with, that the animal killed was at least 1 year old and had in good faith been owned and kept within the State for one year immediately preceding the date of the determination of the existence of such disease, the owner thereof shall be entitled to reimbursement by the State in the sum of two-thirds of the appraised value thereof, but not to exceed \$133.83 for any such animal so slaughtered.

ARTICLE V. FOOT AND MOUTH DISEASE

Section 1. Wherever any domestic animal shall be found by any inspector or person employed or authorized by the department to make inspections to be affected with foot and mouth disease, its value shall be determined by appraisement as in this act provided, and the owner or custodian thereof shall, immediately after the determination of its value, as in this act provided, cause the same to be killed, and cause the carcass and all parts thereof to be destroyed and disposed of as directed by the department, and on presentation to the department of evidence that the provisions of this act have been complied with, and that such animal had in good faith been owned and kept within the State for 40 days immediately preceding the date of the determination of the existence of such disease, the owner thereof shall be entitled to reimbursement by the State in the sum of two-thirds of the appraised value of such animal, but not to exceed \$66.67 per head for cattle, \$0.06 per pound for sheep, and \$0.06 per pound for swine: Provided, That in no case shall the combined indemnity paid by the Government and State be more than the market value of the animal so destroyed.

ARTICLE VII. RENDERING ESTABLISHMENTS

Section 1. It shall be unlawful for any person or persons, firm, or corporation to operate within the State any rendering establishment where carcasses of domestic animals, which are not intended for human consumption, and which are brought or delivered to said establishment, without having secured from the department a license or permit so to do.³

Sec. 2. Permit.—Any person, persons, firm, or corporation intending to operate within the State of Nebraska any such rendering establishment shall file with the department of agriculture an application for a license or permit to do so, subject to the provisions of this act, and the rules and regulations of the department.

SEC. 3. Permit—Inspection—Fee.—Upon the receipt of said application the department shall cause an inspection to be made of any establishment for which license or permit is requested, including its equipment, vehicles, and manner of the conduct of its business with reference and due regard to the dangers of disease transmission and dissemination. If said inspection fails to reveal any danger of disease transmission the department shall issue the license or permit applied for upon payment of a fee of \$50. Such license or permit shall remain valid for a period of one year from the date of issue or until sooner revoked for cause by the department.

SEC. 4. Carcasses of animals.—A rendering establishment, duly licensed under the provisions of this act, is authorized to transport over any public highway the carcasses of domestic animals which have died of disease, subject to the following conditions and limitations:

First. How transported: That for the purpose of such transportation the carcasses shall be placed in containers or vehicles which are constructed of or lined with impervious material, and which do not permit the escape of any liquid and which are covered in such a way that the contents be not accessible to flies or other insects.

Second. Containers disinfected: That said containers and vehicles are disinfected in a manner prescribed by the department each time before leaving the establ shment named in the license or permit.

Third. Vehicle disinfected: That upon leaving the premises where any such carcass is found and before entering the public highway the exterior of the vehicle transporting the same shall be disinfected in the manner prescribed by the department.

SEC. 5. Receipt by rendering establishment.—It shall be unlawful for any such rendering establishment to receive or accept any such carcass of a discased animal which has been transported to such establishment by any other person than the authorized agents and employees of such rendering establishment

Sec. 6. Public stockyards.—The provisions of this act shall not apply to rendering establishments dealing exclusively in carcasses of domestic animals from public stockyards where Federal inspection is maintained.

^{*} This section reads so in the session laws.

ARTICLE VIII. GENERAL PROVISIONS

Section 1. It shall be the duty of any person who discovers, suspects, or has reason to believe that any domestic animal belonging to him, or which he has in his possession or custody, or which, belonging to another, may come under his observation, is affected with any dangerous, infectious, contagious, or otherwise transmissible disease, to immediately report such fact, belief, or suspicion to the department or to any agent, employee, or appointee thereof.

SEC. 2. It shall be the duty of the owner or the custodian of any domestic animal killed by order of the department to dispose of the carcass thereof in the manner prescribed by the department, and whenever the owner or custodian of any such animal so killed be unknown, or absent from the premises where such carcass may be, the carcass shall be disposed of in like manner at the expense of the county in which the carcass is located.

SEC. 3. It shall be the duty of the owner or custodian of any domestic animal which dies from and on account of any infectious, contagious, or otherwise transmissible disease (and any animal which dies of disease or is found dead shall be presumed to have died from and on account of an infectious, contagious, or otherwise transmissible disease), to cause said animal, within 36 hours after receiving knowledge of the death of such animal, to be buried at least 4 feet below the surface of the ground, or to be completely burned on the premises where such animal dies, unless said animal is disposed of to a duly licensed rendering establishment in this State: *Provided*, Such animal shall not be moved or transported from the premises where such animal has died except by the authorized agents and employees of the rendering establishment to which

such carcass is disposed.

SEC. 4. It is hereby made the duty of the sheriff of each county to cause to be buried the carcasses of all domestic animals remaining unburied or otherwise disposed of, after notice that any such carcass has remained unburied in violation of the provisions of the preceding paragraph. The sheriff is hereby authorized to enter upon any premises where any such carcasses are for the purpose of carrying out the provisions hereof, and may cause such carcass or carcasses to be buried on such premises, but no such carcass shall be buried within a distance of 500 feet of any dwelling house or barn. The board of county commissioners or supervisors shall allow such sums for such services as they may deem reasonable and the same shall be paid to the persons rendering such services, upon vouchers, as other claims against said county are paid. The owner of such animal or animals shall be liable to the county for the expense of such burial to be recovered in a civil action, unless the owner thereof pays such expenses with[in] 30 days after notice and demand therefor.

SEC. 5. No person shall ship, trail, drive, or otherwise move or permit to be moved, or permit to be driven from one county in the State to any other county in the State, or from one part of a county to another, or to any other State, any domestic animal or animals which are affected, or suspected of being affected, with any dangerous, infectious, contagious or otherwise transmissible disease, except first having obtained a permit from the department therefor.

SEC. 6. Whenever any domestic animal has been adjudged to be affected with any infectious, contagious, or otherwise transmissible disease and has been ordered killed, the owner or custodian thereof shall be notified of said finding and order, and within 48 hours thereafter such owner or custodian may file a protest with the department, stating under oath that to the best of his knowledge and belief such animal is free from such infectious, contagious, or otherwise transmissible disease; whereupon, an examination of the animal involved shall be made by three veterinarians, graduates of a college of veterinary medicine which has been approved by the department of public welfare as a preliminary qualification for admission to practice veterinary medicine in the State, one of said veterinarians to be appointed by the department, one to be appointed by the person making such protest and the two thus appointed to choose the third veterinarian. In case all three veterinarians, or any two of them, find such animal to be free from such infectious, contagious or otherwise transmissible disease, the expense of such examination shall be paid by the State, and in case said three veterinarians, or any two of them, find such animal to be affected with such infectious, contagious, or otherwise transmissible disease the expense of said examination shall be paid by the person making the protest. The department and the person making such protest shall be bound by the result of such examination.

Sec. 7. Before any domestic animal affected with any infectious, contagious, or otherwise transmissible disease shall be killed or slaughtered, such animal shall be appraised by the department or its authorized agent. If the owner or custodian of said animal is aggrieved by such appraisal such animal shall be appraised, before being killed or slaughtered, by three appraisers, one to be appointed by the department, one by the owner, and a third by the first two members thus selected. Whereupon, such animal involved shall be appraised by said appraisers thus chosen and the valuation of such animal fixed by them, or any two of them, shall be final.

Sec. 8. Assent is hereby given to the provisions of any and all acts of Congress making appropriations for the United States Department of Agriculture of funds to be used in cooperation with and supplementary to payments to be made by the State of Nebraska with respect to compensating the owner or owners of tuberculous cattle, or other domestic animals, destroyed in cooperation with the United States Department of Agriculture in the prevention, control, suppression, or eradication of infectious, contagious or otherwise transmissible disease under statutory provisions, and the good faith of this State is hereby pledged to provide sufficient funds therefor.

Sec. 9. It shall be unlawful for any person to knowingly harbor, or sell or otherwise dispose of any domestic animal or any part thereof affected with an infectious, contagious, or otherwise transmissible disease, except as provided by this act and the rules and regulations prescribed by the department thereunder, and any person so offending shall be deemed guilty of a misdemeanor and punished as in this act provided.

SEC. 10. It shall be unlawful for any person to violate any rule or regulation prescribed and promulgated by the department of agriculture, pursuant to authority granted by this act, and any person so offending shall be deemed guilty of a misdemeanor and punished as in the act provided.

Sec. 11. If any part or parts of this act shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of the act.

SEC. 12. This act shall in no manner affect actions, either civil or criminal, founded on or growing out of any statute hereby repealed, this act shall in no manner affect rights or causes of action, either civil or criminal, not in suit, that may have already accrued or grown out of any statute hereby repealed, and any work commenced or action taken in connection with the circulation of petition, formation and declaration of areas, testing, examination or inspection of animals, quarantines, appraisements and all other matters and things in process of completion, under prior legislation, shall in no wise be affected or voided by the repeal in this act of any statute under which such action was taken, but shall be continued and completed under the provisions of this act.

SEC. 13. Any person violating any of the provisions of this act is hereby deemed to be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than \$50 nor more than \$1,000 or by imprisonment in the county jail for a period of not less than 30 days nor more than one

Sec. 14. The penal provisions of this act for the enforcement thereof shall not be exclusive, but the district courts of this State, in the exercise of their equity jurisdiction, shall have power, by injunction, to compel the observation of and by that remedy enforce the provisions of this act and the rules and regulations established and promulgated by the department.

ARTICLE IX. REPEAL

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Section 1. That sections 7295 to 7315 (g), inclusive, and sections 7628 to 7639, inclusive, Article VII of chapter 2, and sections 9656, 9657, and 9658, of the Compiled Statutes of Nebraska 1922, chapter 3,4 Laws of Nebraska, 1923, and chapter 7,5 Laws of Nebraska, 1925, and all other acts and parts of acts in conflict herewith are hereby repealed.

Births, Deaths, Marriages, and Divorces—Registration. (Ch. 166, Act April 22, 1927)

[Sections 1 to 12 of this act amend sections 8228, 8232, 8233, 8238, 8239, 8241, 8242, 8243, 8244, 8246, 8248, and 8249 of the compiled statutes, 1922, to read as follows:]

⁴ Supplement 49 to Public Health Reports, p. 229. ⁵ Supplement 59 to Public Health Reports, p. 300.

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SEC. 8228. Duties of State department.—The department of public welfare shall provide for the registration of births, deaths, marriages, and divorces, and shall promulgate and enforce such rules as are necessary to carry out the

purposes of this article.

Sec. 8232. Filing of birth certificates.—A birth certificate in the form prescribed by the department of public welfare, and conforming to all of the requirements of the United States Census Bureau, shall be filled out by the physician in attendance and signed in his own handwriting. If there is no physician in attendance, then said certificate shall be completed and signed by the parent or other person present. Such certificate shall be filed with the

local registrar within five days after any birth.

SEC. 8233. Filing of death certificates.—The undertaker or person in charge of the funeral of any person dying in the State of Nebraska shall cause a certificate of death to be filled out with all the particulars contained in the standard blank adopted by the department of public welfare and conforming to all of the requirements of the United States Census Bureau, including a statement of the cause of death, made by a person holding a valid license as a physician, and who was last in attendance upon the deceased; such physician is hereby made responsible for and it shall be his duty to complete and sign in his own handwriting that part of the certificate of death entitled "medical certificate of death" or in cases of death where no person is [sic] licensed as a physician was in attendance, the undertaker shall refer the case to the health officer for a death certificate; but if the circumstances show it possible that death was caused by neglect, violence, or any unlawful means, the case shall be referred to the county attorney for investigation and certification, and he shall state the cause of death as ascertained, giving as far as possible the means or instrument which produced the death. All death certificates shall show clearly the cause of disease or sequence of causes ending in death. All certificates stated in terms that are indefinite, insufficient or unsatisfactory for classification shall be returned to the person making the same for correction or completion. A completed death certificate shall be filed with the local registrar before the body is interred, deposited in a vault, or otherwise disposed of or removed from the locality in which the death occurred. Upon receipt of a certificate of death properly and completely filled out, the local registrar shall issue a burial or removal permit, and no sexton or other person in charge of a cemetery shall allow the interment of a body without first receiving such burial permit; and no agent of any railroad or other transportation company shall allow the shipment of any body without the local registrar's removal permit, and a copy of the death certificate. All burial permits shall be countersigned and dated by the sexton or other person in charge of cemeteries, all removal permits shall be countersigned and dated by the agent of the transportation company, when received, and each shall be returned within 10 days to the local registrar by whom they were issued, providing a removal permit issued in accordance with the law of the place where the death occurred may be accepted by the local registrar of the place where the body is to be interred or otherwise disposed of, as a basis upon which he shall issue a burial permit, and in his return to the State registrar the place of death shall be plainly stated.

SEC. 8238. Certificates—How written—When complete.—Certificates shall be typed or written legibly in durable ink and shall not be deemed complete unless they disclose or satisfactorily account for the omission of all items of infor-

mation called for.

Sec. 8239. Local registrars' reports.—Local registrars shall, on or before the fifth day of each month, forward to the department the original certificates filed with them during the preceding month. Provided an emergency should arise whereby a certificate is required by the department, then the local registrar, upon request from the State registrar, must supply the same. In case no birth or no death has occurred the previous month the local registrar shall

so report on a card provided for that purpose.

SEC. 8241. Casket sales reports.—Every retail dealer in caskets shall keep a record of sales which shall include the name and post-office address of the purchaser, and the name, and the date and place of death of the deceased. A report thereof of sales or no sales shall be forwarded to the department on the first day of each month. This requirement shall not, however, apply to sellers of caskets to dealers or undertakers only. Every seller of a casket at retail who does not have charge of the disposition of the body shall inclose within the casket a notice calling attention to the requirements of the law and a blank certificate of death.

Sec. 8242. Maternity reports.—Maternity homes and lying-in hospitals and places used as such shall report to the department on the first day of each month the sex and date of birth of all children born in their respective institutions during the preceding month. The report shall also show the names and ad-

dresses of the parents and attending physicians.

Sec. 8243. Supplies and fees.—The department shall supply all necessary blanks, forms, and instructions to the local registrars, physicians, and undertakers. It shall, quarterly, certify to the county board of each county the number of certificates of birth and death received from each local registrar in the county. For each certificate and for each report showing no birth or no death, the local registrar shall be entitled to the sum of 25 cents, to be paid

by the county in which the birth or death occurred.

SEC. 8244. Tabulation and transcripts.—The department shall preserve permanently and index all certificates received. The State registrar shall supply to any applicant for any proper purpose a certified copy of the record of any birth ,death, marriage, or divorce registered. For which copy said State department shall be entitled to a fee of 50 cents to be paid by the applicant. The department shall furnish two free copies to be issued for soldiers' welfare or the interests of their families. The department shall, upon request of any parent or guardian who shall require the information for school purposes or securing employment, supply without charge a certificate limited to a statement of parentage and of the date of birth. The United States Census Bureau may obtain, without expense to the State, transcripts or certified copies of certificates without the payment of any charge. A strict account shall be kept of all funds received by the department, and the same turned over to the State treasurer

to be kept in a separate fund for vital statistics.

SEC. 8246. Report of marriage licenses.—The county judge of each county shall on or before the 1st day of February of each year return to the department of public welfare upon suitable blank forms, to be provided by the State, a statement of all marriage licenses issued by him during the preceding calendar year, specifying in each case: 1. Record number and date of the licenses. 2. Full names of the husband and wife. 3. Residence of each party. 4. The color of each party. 5. The age of each party. 6. Single, widowed, or divorced. 7. Number of marriages. 8. Birthplace. 9. Occupation. 10. Name of father. 11. Birthplace of father. 12. Maiden name of mother. 13. Birthplace of mother. 14. Maiden name of bride if she was previously married. 15. Date of marriage. 16. Place of marriage. 17. By whom the marriage ceremony was performed. 18. Name of father or guardian where either party is under age. Upon neglect or refusal to make such returns, such county judge shall, for each such neglect or refusal, forfeit and pay the sum of \$25 for the use of the proper county, to be

collected as debts of like amounts are now collectable.

SEC. 8248. Report of divorces.—The clerk of the district court of each county shall on or before the 1st day of February of each year make and return to the department of public welfare upon suitable blanks furnished by the department a statement of each suit for annulment of marriage or divorce acted upon in the courts of which he is clerk, during the preceding calendar year, specifying in regard to each case as follows: 1. Record number. 2. Full name of plaintiff and defendant. 3. Age of each. 4. Color of each. 5. Occupation of each. 6. Date of marriage. 7. Place of marriage. 8. Residence of each at time of marriage. 9. Date of separation. 10. Date of filing the petition. 11. The alleged cause or causes for annulment or divorce. 12. Whether intemperance was a direct or indirect cause. 13. Kind of relief prayed for. 14. Residence of each at time of suit brought. 15. Manner of service of summons. 16. Whether the suit was contested or not. 17. Date of decree. 18. Nature of decree. 19. Final disposition of case. 20. Whether alimony was asked—and granted. 21. Number of children by the marriage. 22. Number of children affected by the decree, 23. If cross-bill was filed a similar return relating thereto. Upon neglect or refusal to make such return, such clerk shall for each neglect or refusal forfeit and pay the sum of \$25 for the use of the county.

Sec. 8249. Tabulation of statistics.—The department of public welfare shall preserve permanently and index all births, deaths, marriages, and divorces re-

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ceived, and shall tabulate statistics therefrom.

[Section 13 repeals original sections 8228, 8232, 8233, 8238, 8239, 8241, 8242, 8243, 8244, 8246, 8248, and 8249, and also repeals sections 8229 and 8247, compiled statutes, 1922.]

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Dead Bodies—Disinterment. (Reg. Dept. of Public Welfare, July 1, 1927)

Disinterment of bodies .- No body shall be disinterred until disinterment permit has been issued by the State bureau of health, and permit will be issued only upon application of licensed embalmers. All blanks used in this connection can be obtained from the State bureau of health.

For any death occurring since and including 1920 (at which time the State was admitted to the registration area) the disinterment permit will not be issued unless the death certificate is on file.

Supplemental information relating to disinterment may be had upon application made to the division of vital statistics.

Dead Bodies-Transportation. (Reg. Dept. of Public Welfare, July 1, 1927)

[The amended portions of the regulations relating to the transportation of

dead bodies ' read as follows:]

Transportation by auto hearse or conveyance other than common carrier.—The undertaker shall cause a death certificate to be filed with the local registrar of vital statistics in and for the locality where the death occurred and receive from said local registrar a removal permit prior to the removal or transporting by auto hearse or other conveyance of any dead human body from one locality

Provided, however, That in case of death from a contagious, infectious or communicable disease, the body must not be accompanied by persons or articles which have been exposed to the disease, unless certified by the health authorities, having jurisdiction, that proper disinfection has been performed: And provided further, That the health authorities so certifying shall notify the health authorities at destination of body, the date and time body may be expected, thus enab.ing precautions to be taken.

Transportation by common carrier.- * * The following rules shall gov-

ern the transportation of the dead by common carrier:

RULE 8. Every disinterred body, dead from any disease or cause, shall be treated as infectious or dangerous to the public health and shall not be accepted for transportation unless said removal has been approved by the State bureau of health authorities and the consent of the health authorities of the locality to which the corpse is consigned has first been obtained and all such disinterred remains shall be inclosed in a hermetically sealed (soldered) zinc, tin, or copper coffin or box. Bodies deposited in sepulchre receiving vaults for more than 30 days shall be treated and considered the same as buried.

Schoolrooms-Cleaning. (Reg. Dept. of Public Welfare, July 1, 1927)

[The amended portion of the regulations relating to schools reads as follows:]

School inspection .- * * * Cleaning: Schoolrooms shall be swept and dusted at least once a day and scrubbed sufficiently often to give a cleanly and sanitary appearance.

Water Systems, Sewerage Systems, or Swimming Pools-Approval of Plans and Specifications for Construction or Alteration. (Reg. Dept. of Public Welfare, July 1, 1927)

No municipality, district, corporation, company, institution, person or persons shall install, change or make alterations in or additions to, or enter into contract for installing, changing, making alterations in or additions to any water works system to serve more than 25 persons, any sewerage system to serve more than 25 persons or any swimming pool, public swimming or bathing place or places, until complete plans and specifications fully describing the proposed construction, alterations or additions have been submitted to and received the written approval of the State bureau of health.

⁶ Supplement 59 to Public Health Reports, p. 302; supplement 51 to Public Health Reports, p. 208.

7 Supplement 59 to Public Health Reports, p. 296.

Plans and specifications for waterworks, sewerage systems, and swimming pools must be submitted in triplicate. When approved, one of these is for filing as a permanent record with the bureau, one is for the owner, and the other for the engineer submitting such plans and specifications. Thereafter such plans and specifications must be substantially adhered to, unless deviations are submitted to and received the written approval of the State bureau of health.

Supplemental information relative to water analysis and water contamination, sanitary requirements in the construction or operation of swimming pools

may be had upon application made to the State bureau of health.

When necessary for the proper understanding of the proposed addition, changes or alterations to an existing water works system or sewerage system, the department may require the filing of complete plans and specifications of the existing system.

- Barbers—Refusal to Issue or Renew and Suspension or Revocation of Certificate of Registration. Barber Shops and Barber Schools—Use of Certain Places as, Regulated—Prescribing of Sanitary Requirements Governing, Authorized—Inspection. (Ch. 163, Act April 18, 1927)
- Sec. 14. Renewal, revocation, suspension.—The State department of public welfare may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes:
- 3. Continued practice by a person knowingly having an infectious or contagious disease.
- 6. Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs,
- 8. The commission of any of the offenses described in section 17, subdivisions 3, 4, and 6.
- Sec. 17. Violation—Penalty.—Each of the following constitutes a misdemeanor, punishable upon conviction by a fine of not less than \$5 nor more than \$50.
- 6. The use of any room or place for barbering which is also used for residential purposes (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery, and such commodities as are used and sold in barber shops), unless a substantial partition of ceiling height separates the portion used for residential purposes.
- Sec. 20. Board, powers and duties.—The board [of barber examiners] shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary requirements for barber shops and barber schools, subject to the approval of the State secretary of the department of public welfare. Any member of the board or its agents or assistants shall have authority to enter upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations adopted by the board shall be furnished by the board to the owner or manager of each barber shop and barber school, and such copy shall be posted in a conspicuous place in such barber shop or barber school.

Tourist Camps—Permit—Sanitary Requirements. (Reg. Dept. of Public Welfare, July 1, 1927)

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[The regulations governing camps, camp meetings, picnics, public sales, Chautauqua meetings, and all other open-air gatherings are made applicable to tourist camps.]

⁸ Supplement 51 to Public Health Reports, p. 210.

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Diphtheria Antitoxin-Free Distribution by State Board of Health Through County Agents. (Ch. 62, Act March 15, 1927)

Section 1. It shall be the duty of the board of health of the State of Nevada to appoint one or more agents in each of the counties of this State who shall have for distribution, as herein provided, diphtheria antitoxin, certified to by the board of health of the State of Nevada, it being the duty of such agents to supply, free of charge, such antitoxin to all physicians within the county applying for and needing the same. The number of agents in any county shall not be greater than is necessary to safeguard the public health in any emergency. The necessary expense of supplying such antitoxin shall be paid from the funds herein provided for, and the State board of health shall supply such agents with the necessary quantities of antitoxin to safeguard the public health. The board of health of the State of Nevada is hereby authorized to make such rules and regulations as may be necessary to carry out the provisions and intent of this act.

Sec. 2. The sum of \$500 is hereby appropriated, out of any moneys in the State treasury not otherwise appropriated, for the purpose of enabling the State board of health to carry out the provisions of this act, and the State controller and State treasurer are directed to honor all orders of the board of health in carrying out the provisions of this act.

Meat-Sale or Possession for Sale Unlawful When Slaughtered, Prepared, Handled, or Kept Under Insanitary Conditions—Possession for Sale Unlawful When from Diseased Animals or Fowls. (Ch. 48, Act March 7, 1927)

Section 1. It shall be unlawful for any person, persons, firm, or corporation to sell within this Sate, or to have within his, her, or their possession with the intent to sell within this State for human food, the carcass or parts of the carcass of any animal which has been slaughtered, or is prepared, handled, or kept under insanitary conditions; and insanitary conditions shall be deemed to exist whenever and wherever any one or more of the following conditions are found to appear, to wit: If the slaughterhouse is dilapidated or in a state of decay; if the floor or side walls are soaked with decayed blood or other animal matter; if efficient fly screens are not provided; if the drainage of the slaughterhouse yard is not efficient; if maggots or filthy pools or hog wallows exist in the slaughterhouse yard or under the slaughterhouse floor; if the water supply used in connection with the cleaning and preparing of the meat is not pure and uncontaminated; if hogs are kept in or about the slaughterhouse, or within 250 feet thereof, or fed therein on animal offal, or if the ordors of putrefaction plainly exist in or about the slaughterhouse; if carcasses or parts of carcasses are transported from place to place when not covered with clean cloths, or if kept in unclean or bad-smelling refrigerator or refrigerators, or if kept in unclean or four-smelling storeooms.

SEC. 2. It shall be unlawful for any person, persons, firm or corporation to have in his, her, or their possession, with intent to sell, the carcass or part of any carcass of any animal or fowl, which has died from any cause other than being slaughtered in a sanitary manner, or the carcass or the part of any carcass of animal or fowl that shows evidence of any disease, or that came from sick or diseased animal or fowl, or the carcass or the part of the carcass of any calf that was killed before it had attained the age of 4 weeks.

SEC. 3. Any person violating any of the provisions of this act shall be guilty of a gross misdemeanor and shall be punished accordingly.

Bovine Animals—Permit for Slaughter of, or Sale of Meat of. (Ch. 140, Act March 25, 1927)

SEC. 4. Each person, or persons, firm, company, or corporation, who shall slaughter, sell, or offer for sale the meat of any bovine animal or animals, shall first obtain from the county clerk of the county wherein such slaughter, sale, or offer for sale shall take place a permit permitting and authorizing such slaughter sale, or offer for sale, and shall pay for such permit the sum of \$1, and the said permit shall be in full force and effect for the period of one year from the date of issuance. All fees collected under the provisions of this section shall be placed in the general fund of the county. The provisions of sections 3 and 4 shall not apply to any person or persons slaughtering any bovine animal or animals in good faith for his, or their own use.

SEC. 6. Any person violating any of the provisions of this act shall be guilty of a gross misdemeanor and shall be punished accordingly.

Eggs—Sale—When Deemed Unfit for Human Food—Labeling—Fixing of Grades and Standards. (Ch. 164, Act March 28, 1927)

Section 1. That no person, firm, or corporation shall sell, or offer, or expose for sale any egg unfit for human food unless the same is broken in shell and then denatured so that it can not be used for human food. For the purpose of this act an egg shall be deemed unfit for human food if it be addled or moldy; or if it contains black spots, black rot, white rot, or blood streaks; or if it has an adherent yolk or bloody or green white, (albumen); or if it consists in whole or in part of a filthy, decomposed, or putrid substance.

SEC. 2. Unless the context otherwise requires, the words and phrases em-

ployed in this act shall have the meanings hereinafter defined:

(a) "Added" or "white rot" means an egg which is putrid or rotten.

(b) "Moldy" means an egg in which mold has developed inside the shell.(c) "Black spot" means an egg in which mold or bacteria have developed in

isolated areas inside the shell.

(d) "Black rot" means an egg which has deteriorated to such an extent that the whole interior presents a blackened appearance before the candle.

(e) "Blood streak" means an egg which contains blood due to partial incubation.

(f) "Adherent yolk" means an egg in which the yolk has settled to one side and become fastened to the shell.

(g) "Retailer" means any person, firm, or corporation or association which

sells eggs to a consumer.

(h) "Consumer" means any person purchasing eggs for his or her own family use or consumption, or a restaurant, hotel, boarding house, bakery, or other institution purchasing eggs for serving to guests or patrons, or for its or their use in cooking or baking.

their use in cooking or baking.

(i) "Incubated" eggs shall include eggs which have been subjected to incubation, whether natural or artificial, for more than 48 hours, and it shall be unlawful to offer or expose for sale or sell incubated eggs unless branded or

stamped with the word "incubated."

Sec. 3. It shall be unlawful for any person, firm, or corporation to represent, advertise, or sell as fresh eggs any eggs that do not conform to the classifica-

tions provided for fresh eggs in this act.

Sec. 4. It shall be unlawful for any person, firm, or corporation to sell or offer or expose for sale any eggs intended for human consumption without notifying by suitable sign or label the person or persons purchasing or intending to purchase the same, of the exact grade or quality and the size or weight of such eggs, according to the grades prescribed by the State commissioner of foods and drugs as hereinafter provided.

Sec. 5. When eggs are removed from the original container for resale, the true grade of said eggs must be stamped upon the subsequent container in letters not less than one-third inch in height. If placed on display for sale, a sign must be placed immediately over said eggs, in letters not less than 1 inch in height, giving the true grade of said eggs. When eggs are sold in lots of half cases or more, the container must be marked, showing plainly and truly the grade or grades of eggs therein contained, and an invoice must accompany said sale plainly and truly indicating the grade or grades of eggs sold: *Provided*, That the provisions of this act shall not apply to any eggs

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oeing handled for, or in transit to, or sold to dealers in commercial centers to be candled and graded, but all such eggs offered for sale in half cases or more shall be plainly stamped or branded "Not candled" upon the outside of the container in letters 1 inch in height. The word "person," as used in this act, shall mean and include individuals, firms, and members of firms, and their employees or agents, corporations, and officers of corporations, and their employees and agents.

SEC. 6. It shall be the duty of the food and drug commissioner to enforce the provisions of this act, to make and fix grades and standards for eggs, and to make such rules and regulations as may be necessary for the enforcement

of this act.

SEC. 7. Every person who violates any of the provisions of this act shall be guilty of a misdemeanor, and, upon conviction for the first offense, shall be punished by a fine of not less than \$10 and not more than \$100, and for each subsequent conviction thereof shall be punished by a fine of not less than \$25 and not more than \$200.

Sewage-Disposal Plants—Construction by Certain Cities—Tax for Creation of Construction Fund. (Ch. 92, Act March 17, 1927)

Section 1. The mayor and city council of all incorporated cities of the State of Nevada, whether incorporated under the general law or by special charter from the legislature, where the sewage of such incorporated city flows into any river or watercourse, shall, commencing with the year 1928 and annually each and every year thereafter until sufficient funds have accumulated for the purpose hereinafter stated, levy and cause to be collected a tax of not less than 12 cents on each \$100 of taxable property within the limits of such incorporated city.

SEC. 2. It shall be the duty of the mayor and the members of the city council of the cities designated in section 1 hereof, immediately after the passage and approval of this act, to create a special fund to be known as "Fund for the construction of sewage disposal plant," and to pay into such fund the money

collected under the provisions of section 1 hereof.

SEC. 3. When said fund so designated shall have deposited therein sufficient money to cover the costs of constructing a sewage disposal plant, it shall be the duty of the mayor and city council to immediately cause to be constructed

a plant for sewage disposal.

SEC. 4. Any officer designated in section 1 or 2 of this act who shall fail or neglect to cause the tax hereinbefore provided to be levied and collected at the times stated, or shall fail to designate the amount of the tax as herein specified to be levied, or to create the special fund herein commanded, or to pay into said fund the money collected by said tax, or any such officers or officer who shall divert the money accumulated in said fund to a purpose other than the construction of the sewage disposal plant, shall be guilty of a misdemeanor and, upon conviction, be punished by a fine of not more than \$250, or imprisonment for a term of not less than three months, or by both such fine and imprisonment.

Sec. 5. Upon the filing of a certified copy of the judgment of conviction of the district court of the county wherein said city is located, the judge of said court, after notice to the person so convicted, shall enter judgment removing such

person from office.

Sec. 6. In case judgment of the district court, as herein provided, shall be against the officer complained of and an appeal taken from the judgment so rendered, the officer so appealing shall not hold the office during the pendency of the appeal, but such office shall be filled as in case of a vacancy.

NEW HAMPSHIRE

Milk—Sale or Serving in Original Bottle Required at Hotels, Restaurants, Stores, etc.—Compliance with Standards. (Ch. 97, Act April 6, 1927)

1. Original bottles.—No person, firm, or corporation owning or leasing any hotel, restaurant, store, lunch room, fountain, roadside booth, or stand, or any boarding house which makes a practice of serving meals to transients, or his, her, or its agents, servants, or employees shall sell or serve milk for drinking purposes to his, her, or its patrons unless such milk is served or sold in the original bottle or like container in which the milk was delivered to the said hotel, restaurant, store, lunch room, fountain, roadside lunch booth or stand, or boarding house.

2. Milk standard.—It shall be unlawful for any person, firm, or corporation owning or leasing any hotel, restaurant, boarding house, store, lunch room, fountain, roadside booth or stand, or his, her, or its agents, servants, or employees to serve milk for drinking purposes to his, her, or its patrons unless said milk complies with the standards for milk fixed by the laws of the State.

3. Penalty.—Any person, firm, or corporation who shall violate any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$50, or imprisoned for not less than 30 days nor more than 90 days, or both.

4. Limitations.—Nothing contained in this act shall be construed to prevent or prohibit the person, firm, or corporation owning or leasing any hotel, restaurant, boarding house, store, lunch room, fountain, roadside booth or stand, or other person from purchasing milk in bulk for uses other than for serving patrons for drinking purposes, nor to prevent the sale or serving of cream, skimmed milk, or buttermilk from bulk, if the same is pure and wholesome and is sold and served as cream, skimmed milk, or buttermilk, nor shall it prevent or prohibit the sale of milk in mixed drinks at soda fountains.

5. Enforcement.—The State and local boards of health shall be charged with

the enforcement of this act.
6. Takes effect.—This act shall take effect on June 1, 1928.

Ice Cream-Manufacture, Sale, and Standards. (Ch. 7, Act February 10, 1927)

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[This act amends section 17, chapter 139, public laws, 1926, to read as follows:]

17. Ice cream.—No person, firm, company, or corporation shall manufacture for sale within the State, keep for sale, or sell, ice cream which shall contain any substance other than milk, cream, other suitable milk products, eggs, sugar (sucrose), flavoring substances, coloring, more than one-half of 1 per cent of wholesome, edible stabilizer, or which shall contain, in the case of plain ice cream, less than 14 per cent of butterfat, and in the case of ice cream prepared with fruits or fruit juices, nuts, or nut products, less than 12 per cent of butterfat. For the purpose of this section, the words "ice cream" shall be construed as meaning and including any sweetened and flavored frozen product having the general appearance of ice cream and in the preparation of which a substantial amount of milk or of a milk product has been incorporated, regard ess of the name by which such frozen product may be called or under which it may be sold, kept for sale, or offered for sale.

Food Establishments—Regulations by State Board of Health Governing, Authorized—Enforcement of Law Relating to. (Ch. 6, Act February 8, 1927)

[This act amends section 6, chapter 137, public laws, 1926, to read as follows:]

6. Regulations.—The State board may make all necessary rules and regulations for the enforcement of this chapter; and it shall be the duty of local boards of health to assist in carrying out its provisions.

Animals—Physical Examination, Testing, and Vaccination. Tuberculin and Vaccines for Animals—Labeling, Sale, and Use—Reports and Records Concerning. (Ch. 122, Act April 13, 1927)

[This act amends sections 37, 78, 79, 80, 81, and 82 of chapter 187, public

laws, 1926, to read as follows:]

37. Examinations.—Whenever animals have been quarantined as herein provided the commissioner, within a reasonable time, shall cause a physical examinat on of such animals to be made. If, on such physical examination, he deems it necessary he may apply the tuberculin or any other approved test. He shall not, when he suspects bovine tuberculosis, take any action based upon such physical examination, except in advanced cases, unless the tuberculin or other approved test be applied and such test confirms the result of the physical examination. If any animal is found to have bovine tuberculosis he may cause a test to be made of the entre herd in which such animal was found, or of any animal which may have been exposed to said disease. If the disease suspected is one which science has demonstrated can be controlled in susceptible animals by the proper vaccination of said animals the commissioner or his agent may order any and all susceptible animals vaccinated or treated as he may deem advisable. The cost of all vaccines or medicines used shall be borne by the owner.

78. Label.—All vaccines and tuberculin sold, given away, or used within this State shall bear a label stating the name and address of the person, firm, or

institution making it and the date of preparation.

79. Report.—A person selling or g.ving away any vaccines or tuberculin shall report to the commissioner the amount of vaccines or tuberculin disposed of, the degree of strength, the name and address of the person to whom sold or given, and the date of delivery. Such report shall include the address of, and be signed by, the person or firm making the report.

80. Use.—A person buying or procuring any vaccines or tuberculin shall not use or dispose of it until assured in writing by the person from whom the vaccines or tuberculin is received that its delivery has been reported to the commissioner, unless he has reported its receipt to the commissioner with information required to be furnished by those who distribute vaccines or tuberculin.

81. Record; report.—The person buying or procuring any vaccines or tuberculin shall keep a correct record of the amount received, the amount used, and the amount on hand; and shall report these facts whenever any vaccine or tuberculin is used, and, if at any time unused vaccine or tuberculin is not deemed fit or is not to be used, shall forward it to the commissioner with a statement showing h s name and address, where and when such vaccine or tuberculin was procured, the amount procured at the time, and the amount used. If the amount forwarded to the commissioner and the amount used do not equal the amount procured a statement shall be made as to the disposition of the remainder.

82. Exception.—The provisions of this subdivision shall not apply to vaccines or tuberculin manufactured or issued by the Department of Agriculture of the

United States, Bureau of An mal Industry.

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NEW JERSEY

Deaths from Communicable Diseases—Reports by Embalmers and Funeral Directors. Embalmers and Funeral Directors—Reports to State Department of Health of Licenses Issued—List of Persons Licensed. (Ch. 156, Act March 28, 1927)

19. Every embalmer or funeral director shall report to the local health officer all contagious cases in which the funeral director or embalmer may be called, within 12 hours after death or as soon as may be after being called.

20. Said board [State board of embalmers and funeral directors] shall report to the State department of health the name and residence of every person to whom it may issue a license and shall, before the 1st day of January in each year, forward to the registrar of vital statistics of each municipality a printed list duly verified containing the names of all licensed funeral directors and embalmers and such list shall be kept on file in the office to which the same is transmitted. Said board shall issue to each person granted a license an identification card stating that the holder thereof has received a license and is carrying on the business of funeral directing or embalming. The proper holder of such a card shall have the same right to carry on funeral directing or embalming as those whose names appear on file in the office of the registrar of vital statistics in each municipality.

School Medical Inspectors and Nurses—Employment, Compensation, and Duties. Certain Pupils—Exclusion from School. (Ch. 335, Act Passed April 1, 1927)

[This act amends section 229 (as amended by ch. 92, laws of 1909) of

chapter 1, act October 19, 1903, to read as follows:]

229. Every board of education shall employ a competent physician to be known as the medical inspector, and may also employ a nurse, and fix their salaries and terms of office. Every board of education shall adopt rules for the government of the medical inspector and nurse, which rules shall be sub-

mitted to the State board of education for approval.

The medical inspector, or the nurse under the immediate direction of the medical inspector, shall examine every pupil to learn whether any physical defect exists, and keep a record from year to year of the growth and development of such pupil, which record shall be the property of the board of education, and shall be delivered by the medical inspector or nurse to his or her successor in office. Said inspector or nurse shall lecture before the teachers at such times as may be designated by the board of education, instructing them concerning the methods employed to detect the first signs of communicable disease and the recognized measures for the promotion of health and the prevention of disease. The board of education may appoint more than one medical inspector and more than one nurse.

A board of education may exclude from school any child whose presence in the schoolroom shall be certified by the medical inspector or nurse as detrimental to the health or cleanliness of the pupils in the school, and shall notify the parent, guardian or other person having control of such child of the reason therefor. If the cause for exclusion is such that it can be remedied, and the parent, guardian or other person having control of the child excluded as aforesaid shall fail or neglect within a reasonable time to have the cause for such exclusion removed, such parent, guardian, or other person shall be proceeded

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against, and upon conviction, be punishable as a disorderly person.

Salt-Marsh Areas, Fresh-Water Swamps, and Flooded Areas—Surveys of, to Locate Mosquito-Breeding Places—Abolishing and Abatement of Mosquito-Breeding Places. (Ch. 143, Act March 28, 1927)

[This act amends chapter 134, laws of 1906, to read as follows:]

1. It shall be the duty of the director of the State experiment station, by himself or through an executive officer to be appointed by him to carry out the

provisions of this act, to survey or cause to be surveyed all the salt-marsh and all the fresh-water swamps or flooded areas within the State, in such order as he may deem desirable, and to such extent as he may deem necessary, and he shall prepare or cause to be prepared a map of each section so surveyed, and shall indicate all the mosquito-breeding places found on every such area together with a memorandum of the method to be adopted in dealing with such mosquito-

breeding places and the probable cost of abolishing the same.

2. It shall be the further duty of said director, in the manner above described, to survey at the request of the board of health of any city, town, township, borough, village, or county, mosquito extermination commission within the State to such extent as may be necessary, any fresh-water swamp, salt marsh, or other territory suspected of breeding malarial or other mosquitoes, within the jurisdiction of such board or commission, and he shall prepare a map of such suspected area, locating upon it such nuisance in the manner provided be discovered [sic], and shall report upon the same as hereinafter provided in section 8 of this act. Requests as hereinbefore provided for in this section may be made by any board of health within the State, upon its own motion, and must be made upon the petition, in writing, of 10 or more freeholders residing within the jurisdiction of any such board.

3. Whenever, in the course of a survey made as prescribed in section 1 of this act, it is found that within the limits of any city, town, township, borough, village, or county there exists points or places where salt-marsh or fresh-water mosquitoes breed, it shall be the duty of the director aforesaid, through his executive officer, to notify in writing, by personal service upon such officer or member thereof, the board of health or the mosquito extermination commission of the county within whose jurisdiction such breeding points or places occur, of the extent and location of such breeding places, and such notice shall be accompanied by a copy of the map prepared as prescribed in section 1, and of the memorandum stating the character of the work to be done and its probable cost, also therein provided for. It shall thereupon become the duty of the said board or of said county mosquito commission, within 20 days from the time at which notice is served as aforesaid, to investigate the ownership, so far as ascertainable, of the territory on which the breeding places occur, and to notify the owner or owners of such lands, if they can be found or ascertained, in such manner as other notices of such boards are served, of the fact set out in the communication from the director, and of the further fact that under chapter 68 of the laws of 1887, as amended in chapter 119 of the laws of 1904, any water in which mosquito larvæ breed is a nuisance and subject to abatement as such, Said notice shall further contain an order that the nuisance, consisting of mosquito-breeding pools, be abated within a period to be stated, and which shall not be more than 60 days from the date of said notice, failing which the board would proceed to abate, in accordance with the act and its amendments above cited.

4. In case any owner of lands on which mosquito-breeding places occur and upon whom notice has been served as above set out fails or neglects to comply with the order of the board within the time limited therein, it shall be the duty of said board or said county mosquito extermination commission to proceed to abate, under the powers given in sections 13 and 14 of the act and its amendments cited in the preceding section, or under the powers given in the act, such nuisance in the manner provided by law.

5. If, in the judgment of the director aforesaid, public interests will be served thereby, he may set aside out of the moneys appropriated for the purposes of carrying out this act such an amount or amounts as may be necessary to abate such nuisance found existing and to abolish the mosquito-breeding places found

in any municipality.

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by he 6. It shall be the duty of the said director to cause to be carried on such investigation of mosquito life history, habits, and control as will, in his judgment, furnish information necessary to the successful carrying on of mosquito extermination by any agency within the State.

7. It shall also be the duty of the said director to cause to be carried on, by such means as he may deem best, the spread of information concerning the nature and results of mosquito extermination among the people of the State.

8. The mosquito extermination commission of each county shall have all the powers of local boards of health as conferred by chapter 119, laws of 1904, and

the amendments thereto as now in force in so far as the same pertain to mosquito-breeding nuisances artificially created and water in which mosquito larvæ breed: Provided, That the power herein conferred on such mosquito commissions shall not extend over any land area owned by any municipality or county of the State or by the State of New Jersey. The power hereby granted shall not be construed as to limit the powers conferred on county mosquito extermi-

nation commissions by chapter 104,1 laws of 1912, as amended.

9. All moneys set aside out of the amount appropriated for the purpose of this act by the director of the agricultural experiment station in accordance with its provisions shall be paid out by the comptroller of the State upon the certificates of said director that all the conditions and requirements of this act have been complied with, and in the case provided for in section five, payments shall be made to the contractor upon a statement by the person in charge of the work, as therein prescribed, attested by said director, showing the amount due and that the work has been completed in accordance with the specifications of his

10. For the purpose of carrying into effect the provisions of this act, the said director of the State agricultural experiment station shall have power to expend such amount of money, annually, as may be appropriated by the legislature. The comptroller of the State shall draw his warrant in payment of all bills approved by the director of the State experiment station, and the treasurer of the State shall pay all warrants so drawn to the extent of the

amount appropriated by the legislature.

Ordinances and Codes Heretofore Adopted by Borough Boards of Health-Validation. (Ch. 329, Act Passed April 1, 1927)

1. All ordinances and codes heretofore passed and adopted by any local board of health in any borough of this State are hereby validated, ratified, and confirmed, notwithstanding that said ordinances and codes were not published as required by law: Provided, however, That said ordinances and codes were passed after a hearing had thereon.

Milk and Cream—Must Be Pasteurized or Come from Tuberculin-Tested Cattle-Labeling of Containers-Tuberculin Testing of Cattle-Enforcement of Act. (Ch. 233, Act March 28, 1927)

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1. No person shall purchase, distribute, or sell, or have in his possession with intent to distribute, sell, or give away, for human consumption, any milk or cream which has not been pasteurized, excepting milk or cream which has been produced by cows which have successfully passed a tuberculin test within one year of the sale of such milk or cream: Provided, however, That it shall not be unlawful to sell or deliver milk or cream produced by cows which have not passed a tuberculin test to a person or firm licensed by the Department of Health of the State of New Jersey to pasteurize milk or cream: And provided, That it shall not be unlawful to sell or deliver milk or cream produced by cows which have not passed a tuberculin test if an application for an initial test of such cows by the Department of Agriculture of the State of New Jersey under the laws of the State of New Jersey is on file with the department of agriculture,

2. In the case of milk or cream which is produced in States other than New Jersey, and which is shipped into this State for distribution and sale, all such milk or cream shall be pasteurized before being offered for sale, distributed, or sold, or given away for human consumption, excepting that produced by cows which have successfully passed a tuberculin test within one year, made by a licensed veterinarian of the State where the cows are maintained.

3. All containers in which pasteurized milk or cream is shipped, distributed, sold, or given away for human consumption shall be plainly marked with the words "pasteurized milk" or "pasteurized cream," as the case may be, upon the tags, caps, or labels. All containers in which milk or cream from tuberculin-tested cows, excepting certified milk, if [is] shipped, d.stributed, or sold shall

¹ Reprint 200 from Public Health Reports, p. 141.

be plainly marked with the words "raw milk produced by tuberculin-tested cows," or "raw cream produced by tuberculin-tested cows," as the case may be

upon the tags, caps, or labels.

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4. All tuberculin tested [tests of] cattle producing milk or cream which is sold as "raw milk produced by tuberculin-tested cows," or "raw cream produced by tuberculin-tested cows," shall be made by veterinarians employed by the Department of Agriculture of the State of New Jersey or by licensed veterinarians. A complete record of the last tuberculin test of each animal shall be kept on file on the premises where the cattle are maintained. Such records shall be open to inspection by State or local officials authorized to make dairy inspections.

5. All cattle which have reacted to the tuberculin test or which are affected with any disease or condition which may render the milk injurious to health or abnormal in composition shall be separated from the dairy herd, and no milk from such cattle shall be sold, offered for sale, or distributed or given

away for human consumption.

6. No cow shall be admitted to a herd producing milk intended for sale or distribution as "raw milk" unless it has successfully passed a tuberculin test within a period of one year of the sale of the milk.

7. Every person who shall violate any of the provisions of this act shall be liable to a penalty of \$25 for the first offense and to a penalty of \$50 for the second and each subsequent offense. Payment of a penalty for any alleged violation of this act, either before or after the institution of proceedings for the collection thereof, shall for the purpose of this act be deemed equivalent to a

conviction of the violation for which such penalty was claimed.

8. This act shall be enforced by the Department of Health of the State of New Jersey and by the local board of health of any municipality in this State in the same manner as the act to which this act is a supplement, and all penalties incurred under this act shall be sued for and recovered by and in the name of the Department of Health of the State of New Jersey, or by and in the name of any board of health of any municipality in this State, in accordance with the provisions of the act to which this act is a supplement.

9. This act shall take effect January 1, 1928.

Shellfish-Penalties for Violations of Act to Secure the Purity and Wholesomeness of. (Ch. 212, Act March 28, 1927)

[This act amends section 8 (as amended by ch. 31, laws of 1925) of chapter

24.4 laws of 1912, to read as follows:]

8. Any person who shall violate any of the provisions of sections 4 and of [this act] * * * or any of the rules and regulations made under athority contained [herein] * * or who shall disobey any order made by 7 of [this act] authority contained [herein] the State department of health under the authority contained in section 5 of * * shall be liable to a penalty of \$25 for the first offense. and to a penalty of \$50 for the second and each subsequent offense. Any person who shall gather any oysters, clams, or other shellfish from any oyster or clam beds or other place which has been condemned by the State department of health in accordance with the provisions of section 2 of [this act] or who shall distribute, sell, offer, or expose for sale or have in his possession any oysters, clams, or other shellfish taken from any oyster or clam bed or other place which has been condemned by said department, unless he shall first have secured a permit in writing to take oysters, clams, or other shellfish from oyster beds, clam grounds, or other places which have been condemned by the said department of health, or unless he shall have secured a permit from said department to distribute, sell, offer, or expose for sale or have in possession oysters, clams, or other shellfish which have been taken from said condemned waters, shall be liable to a penalty of \$100 for the first offense, and for the second and each subsequent offense shall, upon conviction, be committed to the common jail of the county, wherein the conviction was had for a period of not less than 30 days.

² Supplement 59 to Public Health Reports, p. 319. ³ Reprint 200 from Public Health Reports, p. 149.

Cattle—Control and Eradication of Tuberculosis in—Inspection for Tuberculosis—Tuberculin Testing—Appraisal and Destruction When Tuberculous—Indemnity for Animals Destroyed Because Tuberculous—Modified Accredited Areas. (Ch. 91, Act March 19, 1927)

[Section 1 of this act amends paragraph 5 (as amended by ch. 91, laws of

1920) of section 2 of chapter 202, laws of 1911, to read as follows:]

5. (a) Whenever the department of health of the State of New Jersey or the owner or owners of any dairy or breeding animals shall request the department of agriculture to cause an inspection to be made of any of such animals as may be supposed to be diseased with tuberculosis, the department of agriculture may designate a veterinarian to make such inspection, and if deemed advisable by the department of agriculture to conduct a tuberculin test of said animal or animals in accordance with the methods prescribed by the department of agriculture. If the owner or owners of such animal or animals shall agree to comply with and carry out the regulations of the department of agriculture relating to the removal from the herd and quarantine of condemned animals, the disinfection of the premises and the introduction into the herd of other animals, the expense of such inspection and tests shall be borne by the depart-

ment of agriculture.

(b) Whenever such an inspection or test shall result in the condemnation of any animals examined or tested, such animal or animals shall be held in quarantine by the owner or owners thereof until notified by the department of agriculture to slaughter said animal or animals, and upon receipt of said notice said owner or owners shall immediately slaughter or cause such animal or animals to be slaughtered in the presence of a duly authorized Federal, State, or municipal inspector. If the owner or owners of any animal or animals so condemned shall, before the slaughter of said animal or animals, agree to accept the net proceeds from the sale of the meat, hide, and other marketable parts of said animal or animals, provided the same shall have passed inspection by a Federal, State, or municipal health inspector, then said owner or owners shall have no further claim against the State on account of said slaughter, or the owner or owners of said animal or animals so condemned may agree that the value of said animal or animals be determined by appraisement by the department of agriculture as hereinafter provided.

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(c) The veterinarian making an official tuberculin test, or any duly authorized agent of the department of agriculture, is hereby authorized and empowered to make an agreement with the owner or owners as to the valuation of the animal or animals condemned. Immediately before commencing the test, if it is deemed advisable by the department of agriculture, an appraisement may be made by the owner and a duly authorized agent or representative of the department of agriculture on the market value of the animals as of the day of appraisement, and in case the animals so appraised react to such official tuberculin test the amount of the appraisement as agreed upon prior to tuberculin testing shall be official and shall be accepted by the owner and the State department of

agriculture

In all cases where no agreement can be reached, there shall be appointed three competent and disinterested freeholders, one appointed by the department of agriculture, one by the owner or owners, and the third by the first two at the expense of the owner or owners, who shall ascertain and decide upon the appraised value of each animal condemned, and shall sign a certificate of such value in the presence of a witness who shall attest the same, and such valuation shall in each case be made upon the market value of said animal for breeding, dairy, or beef purposes on the day of appraisement. No indemnity shall be paid for reacting animals unless slaughtered within 30 days of the date of appraisal at such time and place as the department of agriculture shall designate, which must be done under the supervision of a Federal, State, or municipal inspector, approved by the department of agriculture, and the carcass examined and judged as to fitness for food. The salvage is the net amount received from the sale of the animal or animals, and a report of such sale shall be made on blanks furnished for that purpose by the department of agriculture, signed by the purchaser or his agent, and in no case shall the owner or owners receive compensation from the State if said statement prove false. Delivery and slaughtering charges may be deducted, but any charges for holding the

^{*} Supplement 43 to Public Health Reports, p. 259.

animal pending slaughtering shall not be deducted and any such charges will not be paid by the State. Upon presentation of said appraisement certificate to the State comptroller, with the approval of the department of agriculture indorsed thereon, the owner or owners shall receive from the State treasurer a sum equal to one-third the difference between the appraised value of the animal or animals, and the salvage which the owner receives: Provided, The State does not pay the owner or owners a sum in excess of \$100 for a registered animal and \$50 for any unregistered animal. In the case of registered animals the owner or owners shall furnish a certificate of registration from an association approved by the State board of agriculture.

In all cases it is provided that the animal or animals so condemned and appraised shall have been owned at least one year in this State prior to the condemnation thereof; proof of ownership shall be furnished by the owner to the department of agriculture upon request made therefor: And provided further, That no compensation shall be made for steers, nonregistered or grade bulls, nor for animals considered by the department of agriculture to be of no value.

2. Definitions: The terms used in this act shall be construed as follows and taken to include the singular or plural as may be necessary in any given case: "Owner" shall include any person, firm, copartnership, association, or cor-

poration owning or leasing cattle from another.

"Premise" shall include any part or portion of land or any structure erected on land and any vehicle or vessel used in the transportation of passengers, goods, or cattle.

"Tuberculin test" shall include any method of testing by tuberculin or by

any other method of testing for the detection of tuberculosis.

"Official test" shall include all tuberculin tests made under the supervision of or authorization from the Department of Agriculture.

"Private test" shall include all tuberculin tests other than official tests and

shall be made at the owner's expense.

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"Reactor" shall apply to any cattle reacting to a tuberculin test or tests, either official or private, conducted to determine the existence of tuberculosis. "Suspicious" shall apply to cattle tested to determine the presence of tuberculosis and not giving a reaction sufficient to justify condemnation.

Quarantine" shall mean to hold in segregation because of the presence or the suspected presence of a contagious or infectious disease and shall be construed as either special quarantine or general quarantine as applicable to existing conditions.

"Special quarantine" shall mean a quarantine of a single animal or a quarantine of a single building, structure, pen, car, vessel, vehicle, field, or inclosure or a quarantine of any number of animals when confined or contained in the same building, structure, pen, car, vessel, vehicle, field, or inclosure.

"General quarantine" shall include all quarantines not included under the

term "special quarantine" as herein defined.

3. (a) The State department of agriculture is hereby authorized and empowered to obtain information regarding the number of cattle owners and the number of cattle in a county, township, municipality, or other designated area in order to inaugurate a plan for the tuberculin testing of cattle for the control and eradication of tuberculosis in cooperation with the United States Department of Agriculture. A record of the information obtained shall be filed in the office of the department of agriculture. Expenses incurred in procuring this information shall be paid for from funds appropriated to the department of agriculture.

(b) The State department of agriculture is hereby authorized and empowered to cooperate with an organization or organizations or to recommend the formation of a new organization in a county, township, municipality, or other designated area and to delegate to such organization or organizations any duties they may deem advisable for the purpose of promoting and carrying out the work in connection with the tuberculin testing of cattle for the control

and eradication of tuberculosis.

(c) The county boards of freeholders in their respective counties and the governing bodies of any township, municipality, or other designated area are hereby authorized and empowered to make such appropriations from the general funds of their county, township, municipality, or other designated area as will enable them to cooperate effectively with the cattle owners, the State department of agriculture and the United States Department of Agriculture in the control and eradication of tuberculosis under the area plan of testing or any other plan. The money so appropriated shall be placed in a fund to be used in the county, township, municipality, or other designated area in which it originated subject to the approval of the State department of agriculture.

4. When a majority of the resident cattle owners, representing 75 per cent of the cattle in a county, township, municipality, or other designated area have either placed their cattle under supervision or petitioned upon forms issued and approved by the department of agriculture for tuberculin testing of their cattle, the department of agriculture shall notify the board of freeholders or other governing body of such county, township, municipality, or other designated area of such fact and may commence tuberculin testing under the area or any other approved plans without expense to the owner to the extent of funds available, providing the owners agree to comply with all the provisions of this act and all orders, rules, and regulations formulated thereon.

5. When 75 per cent of the cattle owners in any county, township, municipality, or other designated area have filed petitions and agreements with the department of agriculture for the tuberculin testing of their cattle under the area or any other plan of testing approved by the department of agriculture, the department shall cause a notice to be published of such fact in two newspapers of general circulation in the county or counties where the cattle are maintained and after a period of 30 days from the publication of the notice the State board of agriculture shall order placed under quarantine all cattle that have not been officially tuberculin tested or whose owners have not petitioned for an official tuberculin test and under such quarantine no cattle shall be sold, given away, or otherwise removed from the premises except on written order issued by the department of agriculture. All owners of cattle quarantined under this section shall be allowed the same privilege of petitioning the department of agriculture for the application of an official tuberculin test and removal of the quarantine as provided for in this act.

6. When 90 per cent of the cattle owners of any county, township, municipality, or other designated area have filed petitions and agreements with the department of agriculture for the tuberculin testing of their cattle under the area or any other plan of testing approved by the department of agriculture, the department, through its authorized veterinarians, may enter the premises of the remaining 10 per cent and officially tuberculin test and retest all cattle at such times as they may deem advisable and order the quarantine and slaughter of all reactors found, without the consent of the owner and compensation or indemnity for such reactors if eligible to appraisement may be paid as provided for when a petition and agreement signed by the owner has

been filed with the department of agriculture.

7. The owners of cattle which are to be officially tuberculin tested or retested shall, when requested to do so by a representative of the department of agriculture, stable the cattle and furnish all reasonable assistance to the representative of the department of agriculture in restraining, handling, and

caring for them until the completion of the test.

8. It shall be the duty of any veterinarian, agent, or duly authorized representative of the department of agriculture establishing a special quarantine to transmit to the owner or representative a written notice advising of the establishment of the quarantine. Such quarantine shall continue for such time as may be deemed advisable to accomplish the purpose of said quarantine.

9. Whenever a county, township, municipality, or other designated area has become enrolled in the area or any other plan of testing approved by the department of agriculture, no cattle shall be brought into or moved within such county, township, municipality, or other designated area except as provided in the rules and regulations prescribed by the State board of agriculture.

10. No person or persons shall treat any cattle with a material or substance for the purpose of interfering with a tuberculin test or with a reaction to a tuberculin test, or shall interfere in any way with a representative of the department of agriculture who is making or assisting with a tuberculin test or shall alter or change an ear tag or other mark of identification for the purpose of concealing the identity of any cattle or shall otherwise attempt to interfere with the identification of any cattle.

11. All cattle reacting to an official or private tuberculin test shall be immediately segregated, quarantined, and held at the owner's expense until the department of agriculture issues a written order to move the said cattle, which removal shall be done immediately at the owner's expense, to a designated slaughtering center and slaughtered at the time and place specified in the

written order under the supervision of an authorized representative of the department of agriculture who shall examine the carcass as to fitness for food

and file a report of the same.

12. No person or persons shall sell, offer for sale, give away, or otherwise dispose of or purchase any cattle that have been classed as reactors, declared tuberculous or suspicious of being tuberculous either on official or private test, or shall remove any cattle from any herd that has been quarantined except on written order issued by the department of agriculture as provided in section 11.

13. No person or persons, firm, or corporation shall deliver for transportation, receive for transportation, transport, drive on foot, or otherwise remove from the premises where they are located to any other point or place any cattle that have been classed as reactors, declared tuberculous or suspicious of being tuberculous either on official or private tuberculin test, except on written order issued by the department of agriculture as provided in section 11.

14. All tuberculin tests, either official or private, shall be made according to the standards established, methods prescribed, and in a manner acceptable to

the department of agriculture.

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A report of such tests shall be made to the department of agriculture by the veterinarian making the same within seven days, on forms provided by the department of agriculture, and shall include the name and address of the owner, location of premises, and a complete record of the animals and such other information as may be required on the forms.

15. The department of agriculture may refuse to accept any tuberculin test or test of native or imported cattle, either made or alleged to have been made, which in its judgment have not been properly conducted and hold such cattle in segregation and quarantine at the owner's expense subject to an official test.

If the owner of cattle so quarantined shall request the department of agriculture to authorize an official tuberculin test of the cattle and agree to carry out all the provisions of this act and the rules and regulations of the State board of agriculture, reactors found on such test or tests may be appraised, if eligible to appraisement, and indemnity paid as provided in this act.

16. All cattle passing or declared suspicious as the result of an official or private tuberculin test shall be marked for identification by an approved metal ear tag furnished by the department of agriculture or designated by the department and furnished by the owner except purebreds which may be reported for identification by registration name and number, tattoo, or chain-lock number.

No two animals in one lot shall bear the same number.

17. All cattle condemned as a result of an official or private tuberculin test shall be plainly and permanently marked for identification by a representative of the department of agriculture or the individual making or assisting with the test in a manner acceptable to or authorized by the department of agriculture.

The marking of cattle for identification as provided for in this act, its amendments, and supplements, shall not be construed as cruelty to animals within the

meaning of any laws of this State.

18. Whenever the department of agriculture is satisfied that any owner has failed to comply with any provision of this act or any rule or regulation made by the State board of agriculture under the provisions of this act, the owner shall be so notified in writing by the department of agriculture, and such owner shall immediately lose all rights or interest acquired, if any, under the provisions of this act and the said owner shall not be reinstated thereunder except by the authority of the department of agriculture upon written applica-

tion made by the owner to the department for that purpose.

19. When the percentage of tuberculous cattle within a county, township, municipality, or other designated area enrolled in the area or any other plan of tuberculin testing approved by the department of agriculture, as shown by the last preceding tuberculin test of all breeding and dairy cattle within the county, township, municipality, or other designated area is reduced to meet the requirements of a "modified accredited area," as officially defined by the United States Department of Agriculture, the department of agriculture shall apply to the United States Department of Agriculture for the certification of such county, township, municipality, or other designated area as a "modified accredited area."

20. When, as a result of the area or any other plan of tuberculin testing approved by the department of agriculture, a county, township, municipality or

other designated area is certified to be a "modified accredited area" by the United States Department of Agriculture cooperating, no further indemnity will be paid for animals reacting to subsequent tuberculin tests of any herd or parts of herds within such designated "modified accredited area" and the expense for conducting such subsequent tuberculin tests may be borne by the individual herd owner.

21. Any owner of cattle enrolled in the area or any other plan of testing approved by the department of agriculture who fails or refuses to have his animals retested when notified by the department of agriculture shall be considered as violating his agreement and shall become subject to the penalty pro-

vided herein.

22. For the proper enforcement of the provisions of this act the State board of agriculture is hereby authorized and empowered to make and enforce orders, rules, and regulations for the control and eradication and to prevent the spread of tuberculosis or any other contagious or infectious disease to the cattle of the State and issue any quarantine orders that may be deemed necessary to prevent the entrance of cattle affected with a contagious or infectious disease. Any person or persons violating any of the provision of this act or any order, rule, or regulation made by the State board of agriculture under the provisions of this act shall be subject to the penalty hereinafter provided.

23. Any person who shall violate the provisions of this act shall be liable to a penalty of not less than \$100 nor more than \$200 for the first offense, and to a penalty of \$200 for the second and each subsequent offense, or by imprisonment not exceeding one year, or both, in the discretion of the court. The penalty herein prescribed shall be sued for and recovered by and in the name of the State board of agriculture, and all penalties recovered hereunder, after payment of costs, shall be paid into the treasury of the State of New Jersey.

24. Every district court in any city or judicial district, and every justice of the peace in any county, or police justice or recorder in any city or municipality where the defendant may be apprehended or where he may reside, is hereby empowered upon complaint made under oath or affirmation that any person has violated any of the provisions of this act to issue a summons or warrant, directed to any constable, police officer, or member of the State constabulary, commanding him to cause the person so complained of to be arrested and brought before such district court, justice of the peace, police justice, or recorder, who shall thereupon summarily hear and determine the guilt or innocence of such person, without a jury, and upon conviction shall impose the penalty prescribed in this act, together with costs, and if any person shall fail to pay the penalty so imposed, together with all costs, the said district court, justice of the peace, police justice, or recorder shall commit him to the common jail of the county wherein such conviction is had for a period not exceeding 90 days or until the penalty and costs are paid.

25. Such district court, justice of the peace, police justice, or recorder, upon receiving complaint in writing, duly verified, of a violation of the provisions of this act by a corporation, is hereby authorized and required to issue a summons directed to any constable, police officer, or member of the State constability, requiring such corporation to be and appear before such district court, justice of the peace, police justice, or recorder on the day named therein, to answer said complaint, which summons may be served on the president, vice president, secretary, superintendent, or manager of such corporation, and thereafter all proceedings shall be the same as in cases of individuals, except that in case of conviction and imposition of the penalty prescribed, execution

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shall issue against the goods and chattels of such corporation.

26. For violation of the provisions of this act done within the view of any constable, police officer, or member of the State constabulary, such officer is hereby authorized to arrest, without warrant, the offender and take him before a district court, justice of the peace, police justice, or recorder in the county wherein such arrest is made. The person so offending shall be detained until the officer making the arrest shall make oath or affirmation, which he shall do forthwith, specifying the provisions of the act alleged to have been violated, whereupon a warrant shall issue returnable forthwith, and such district court, justice of the peace, police justice, or recorder shall proceed summarily to hear or postpone the case as herein provided.

27. Any hearing to be held pursuant to this act may, for good cause shown, be adjourned for a period not exceeding 30 days from the return of the summons or warrant, but in such case it shall be the duty of the district court,

justice of the peace, police justice, or recorder to detain the defendant into custody unless he shall enter into bond to the State board of agriculture with at least one sufficient surety in double the amount of the penalty to be recovered, conditioned for his appearance on the day to which the hearing shall be adjourned, and thence from day to day until the cause is disposed of.

[Sections 28 and 29 repeal, respectively, paragraph 17 of chapter 202, Laws of 1911, and paragraph 7 of chapter 157, Laws of 1918.]

Vesicular Stomatitis in Cattle—Investigation of Existence and Effects of— Indemnity for Animals Destroyed and Milk Condemned on Account of. (Ch. 180, Act March 28, 1927)

Whereas it is said that a certain disease called "vesicular stomatitis" existed among cattle in certain sections of this State, whereby the health of citizens was imperiled; and

Whereas by reason thereof the State department of health caused certain of said animals to be slaughtered and also prevented the sale of milk from animals

affected by said disease or likely to contract the disease: Therefore

Be it enacted by the Senate and General Assembly of the State of New Jersey: 1. That the director of the State department of health shall appoint three persons, citizens and taxpayers of this State, of whom the president of the State board of agriculture shall be one, who shall, with the assistance of the director of the department of health, investigate the existence and effects of said disease in this State, called "vesicular stomatitis," and if said disease is found to have existed and said cattle to have been slaughtered and milk destroyed at the direction or instigation of the department of health, or some other State agency, then to appraise the loss of any animals which may have been ordered slaughtered, and also to appraise the value of any milk which was condemned or made unmarketable by reason of said disease, and if said committee think proper, to pay to the owner or owners of such cattle or animals a sum not to exceed 50 per cent of such appraised value and 50 per cent of the value of the milk which was found unmarketable and destroyed by reason of the existence of said disease.

2. The amount so determined upon by said committee shall be paid by the State of New Jersey to the owner or owners of such animals upon said owner or owners filing with the comptroller of the treasury a verified bill, approved by the director of the department of health.

3. The committee so appointed shall be entitled to receive their expenses for

the performance of their duties herein provided.

4. There is hereby appropriated the sum of \$20,000 for the purpose of carrying out the provisions of this act when included in any annual or supplemental appropriation bill.

Practice of Midwifery-Refusal or Revocation of License. (Ch. 293, Act March 29, 1927)

[This act amends section 6 (as amended by ch. 99,6 laws of 1923) of chapter

280, laws of 1910, to read as follows:]

6. Said [State] board [of medical examiners] may refuse to grant or may revoke any license for any of the following reasons, namely: Persistent inebriety, the practice of criminal abortion, the conviction of the crime of criminal abortion, crimes involving moral turpitude, presentation of a certificate of diploma for registration or license illegally obtained, application for examination under fraudulent representation, neglect or refusal to make proper returns to the health officers or health department of births, or of a puerperal, contagious, or infectious disease, within the legal limit of time; failure to secure the attendance of a reputable physician in case of miscarriage, hemorrhage, abnormal presentation or position, retained placenta, convulsions, prolapse of the cord, fever during pasturient [parturient] stage, inflammation or discharge from the eyes of the new-born infant, or whenever any abnormal or unhealthy symptoms appear either in the mother or infant during labor or the puerperium; or where any person has been three times convicted of any violation of any ordinance of any local board of health regulating the practice of midwifery,

<sup>Supplement 38 to Public Health Reports, p. 274.
Supplement 49 to Public Health Reports, p. 242.</sup>

and for the purpose of this provision payment of a penalty for violation of any such provision of any such ordinance shall be deemed equivalent to a conviction

Before any license shall be revoked, except in the case of convictions of criminal abortion, the accused shall be furnished with a copy of the complaint and given a hearing before said board in person or by attorney, and any midwife refused admittance to the examination, or whose license has been revoked or suspended, who shall attempt or continue the practice of midwifery, shall be subject to the penalties hereinafter prescribed.

Sewer Connections and Installation of Toilets—Powers of Municipalities Regarding. (Ch. 291, Act March 29, 1927)

1. In all municipalities of this State where there are now or hereafter may be sewers or a system of sewers for the purpose of carrying off the sewage of any such municipality or in streets or sections of any municipalities, the governing body thereof shall have power to make, enforce, amend, and repeal ordinances requiring all buildings located upon a street in which a sewer is constructed to connect said building with said sewer and regulate and provide for the construction of said connections. Every such governing body shall also have power to make, enforce, amend, and repeal ordinances providing for the improvement, maintenance, and repairing of said sewer connections and to prescribe the kind of materials or material to be used in the original connection and in improving and repairing the same and the method of doing the same and shall also have power to make, enforce, amend, and repeal ordinances providing for the installation of toilets in said buildings and regulating and providing for the connection of the same with such sewer. Every such governing body shall have power to provide for the inspection of any of the work above provided for. Whenever any of the work above provided for is done, it shall be at the cost and expense of the owner or owners of the land in front of or upon which the same is done.

2. If, after the passage of any such ordinance, the owner or owners of any properties affected thereby shall neglect, after notice given as herein provided, to make any such sewer connection or installation of tollet, by such ordinance, directed and required, it shall be lawful for the governing body in every such municipality to cause such connection or installation to be made under the direction and supervision of the proper officer of the municipality, or to award

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one or more contracts for the making of such improvement.

3. Before proceeding to make any such connection or installation or awarding any contract for the making thereof, it shall be the duty of the governing body of such municipality to cause notice of such contemplated connection or installation to be given to the owner or owners of any properties affected thereby; such notice shall contain a description of the property affected, sufficiently definite in terms to identify the same, as well as a description of the required connection or installation, and notice that unless said connection or installation shall be completed within 30 days after the service thereof, it is the intention of the municipality to make such connection, or cause the same to be done, pursuant to the authority of this act. Such notice may be served upon the owner or owners resident in such municipality in person, or by leaving the same at their usual place of residence with a member of their family above the age of 14 years; in case any such owner shall not reside in the municipality, such notice may be served upon him personally or mailed to his lastknown post-office address, or it may be served upon the occupant of the property or upon the agent of the owner in charge thereof; in case the owner of any such property is unknown, or service can not, for any reason, be made as above directed, notice thereof shall be published at least once, not less than 30 days before the making of such connection by the said municipality, in a newspaper circulating in the said municipality; there may be inserted in the said advertisement notice to the owner or owners of several different properties. tice to infant owner or owners of unsound mind shall be served upon their When lands are held in trust, service shall be made upon the guardians. trustee. When properties are held by two or more joint tenants, tenants in common or tenants by the entirety, service upon one of such owners shall be sufficient, and shall be deemed and taken as notice to all. Proof of service of such notices shall be filed within 10 days thereafter with the officer having charge of the record of tax liens in the municipality, but failure to file the same

shall not invalidate the proceedings if service has actually been made as herein

provided.

4. The governing body of any such municipality may proceed to make the needed sewer connection or toilet installation or to award a contract therefor without giving notice required by section 3 of this act: Provided, That notice of pendency of the ordinance provided for such connection or installation is given to the person owning the property affected thereby in the same manner as provided in section 3. A hearing on such ordinance shall be given by the governing body of such municipality to all persons interested in said sewer connection or toilet installation at a time and place to be stated in such notice. Notices of said hearing are to be served or published 10 days prior to the day fixed for such hearing.

5. When any sewer connection or toilet installation shall be made by any such municipality, a true and accurate account of the cost and expense shall be kept and apportioned to the property or properties thereby connected with the sewers, and a true statement of such costs under oath or affirmation shall be forthwith filed by the officer of the municipality in charge of such connection or installation with the clerk of the governing body. Said governing body shall examine the same, and if the same is properly made, shall confirm the same and file such report with the officer of said municipality charged with the duty of collecting taxes. Said officer shall record the said sewer connection or installation charge in the same book in which he records sidewalk and other

assessments.

6. Every such sewer connection or installation charge shall bear interest and penalties from the same time and at the same rate as assessments for local improvements in the said municipality where the same is improved, and from the time of confirmation shall be a first and paramount lien against the respective property or properties so connected with the sewer to the same extent as assessments for local improvements, and shall be collected and enforced in the same manner, and every officer charged with the enforcement and collection of assessments for local improvements is hereby charged with the same duties in regard to the collection and enforcement of all charges for sewer connections or toilet installations. No such charge for sewer connections or toilet installation shall be invalid by reason of any error or omission in stating the name of the owner or owners of properties affected by such sewer connections or toilet installations, nor for any other informality where such property or real estate has actually been improved by such sewer connection or toilet installation as aforesaid.

7. The governing body of any such municipality imposing any such sewer connection or toilet installation charge upon any property may provide for the payment of the same in installments in the same manner as assessments for local improvements are payable in installments in any such municipality, in which case such installments shall bear the same rate of interest and be collected and enforced in the same manner as are installments for assessments on

local improvements.

8. The governing body of any such municipality may award contracts for the construction of such sewer connections or toilet installations in the same manner and after the same advertising as in the case of other contracts; and may, in lieu of awarding separate contracts for the making of such sewer connections or toilet installations, award a contract to the lowest responsible bidder for making all such sewer connections or installations of toilets, which the said municipality may desire made within a period of one year or less.

Consolidated Sewerage Districts in Townships—Annexing of Certain Land to. (Ch. 202, Act March 28, 1927)

1. Land adjoining and being adjacent to sewerage districts, consolidated under the provisions of the act [chapter 17, laws of 1924] to which this is a supplement, may be annexed to and included within such consolidated sewerage district by an ordinance for that purpose adopted by the township committee in which the consolidated sewerage district is located: Provided, That a petition in writing shall first be presented to said township committee specifically setting forth the boundaries of such land and signed by person or persons owning at least 75 per cent of said land as shown on the assessor's duplicate for the preceding year: And provided further, That the boundaries of any

⁷ Supplement 51 to Public Health Reports, p. 218.

consolidated sewerage district shall not be extended so as to include a portion of any municipality other than the township in which such consolidated sewerage district is located.

Sewers, Water Mains, etc.—Contracts Between County Park Commissions and Counties, Cities, Towns, etc., for Use of Lands Under Jurisdiction of County Park Commissions in Construction, Operation, and Maintenance of. (Ch. 176, Act March 28, 1927)

1. It shall be lawful for any county park commission organized under the act [chapter 91, laws of 1895] to which this act is a supplement, to negotiate with, and by resolution to enter into a contract with, any county, city, town, township, village, borough, any municipality governed by a board of commissioners, or improvement commission, joint outlet sewerage commission, district sewerage board, or district water supply commission, for the crossing, use, and occupancy of any lands owned by, or under the care, custody, and control of, any such county park commission, for the purpose of constructing, operating, and maintaining drains, storm sewers, sanitary sewers, water mains, and the necessary appurtenances, outlets, culverts, basins, manholes, and other equipment and construction in connection therewith, upon such terms, subject to such conditions and in such mode as such county park commission may deem proper or necessary for the preservation for park purposes of the lands of such county park commission, and as may be agreed upon between the contracting parties.

Plants for Incineration or Disposal of Ashes, Garbage, or Refuse—Maturity of Bonds Issued for Acquisition, Construction, or Reconstruction of. (Ch. 239, Act March 28, 1927)

[This act amends section 4 (1), subdivision E (as amended by ch. 240, laws

of 1917), of chapter 252, laws of 1916, to read as follows:]

4. (1) (E) Bonds issued for the acquisition or construction or reconstruction of a plant for the incineration or disposal of ashes, or garbage, or refuse, or any part thereof, or buildings, land, or rights in land therefor, including or not including the original furnishing, or equipment, or machinery, or apparatus, or any or all of such items, shall mature in not exceeding 10 years: Provided, however, That bonds issued for the acquisition or construction or reconstruction of a plant for the incineration or disposal of ashes, or garbage, or refuse, or any part thereof, when housed in fireproof buildings of construction as described in subdivision (C), land or rights in land therefor, including or not including the original furnishing, or equipment, or machinery, or apparatus, or any or all of such items, shall mature in not exceeding 20 years.

Joint Municipal Plants for Incineration or Disposal of Ashes, Garbage, or Refuse—Issue of Bonds by Boroughs for Construction of. (Ch. 229, Act March 28, 1927)

1. For the acquisition or construction of a joint municipal plant for the incineration or disposal of ashes, garbage or refuse, or any part thereof, or buildings, lands or rights in land therefor, including or not including the original furnishing or equipment or machinery or apparatus, any borough that shall enter into a joint contract for the construction of such incinerator may exceed the net bonded debt limit as prescribed by the act [chapter 252, laws of 1916] to which this act is a supplement to such extent as the net bonded debt of such municipality when added to its share of the cost of such incinerator may necessitate: Provided, however, That the total net bonded debt of any such borough which shall take advantage of this act shall not exceed 10 per cent of the average of the three next preceding assessed valuations of the taxable real property (including improvements: Provided further, That any indebtedness in excess of the 7 per cent limitation prescribed by the act to which this act is a supplement which may be incurred under the provisions of this act shall mature and be paid within 10 years.

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2. Any borough which shall take advantage of this act may in any annual or supplemental debt statement thereafter filed deduct the sum by which the indebtedness incurred for its share of the cost of such incinerator and plant and equipment shall have increased its bonded indebtedness as of time of issue over and above the 7 per cent limitation prescribed by the act to which this act is a

supplement.

NEW MEXICO

State Dairy Commissioner—Appointment, Powers, and Duties—Designation, Powers, and Duties of Deputies. Milk and Milk Products—Production, Handling, and Sale—Standards. (Ch. 97, Act March 14, 1927)

Section 1. Appointment of commissioner and deputies.—There is hereby created the office of State dairy commissioner, and on or before July 1, 1927, the president of the State agricultural college, by and with the consent of the State board of regents of same, shall appoint a State dairy commissioner to carry out the provisions of this act. Such appointment shall be nonpolitical, and the dairy commissioner shall have a practical knowledge of and experience in the manufacture of dairy products, the production of dairy products on the farm, and the feeding and handling of dairy cows. The county agricultural agents of the several counties of the State of New Mexico shall act as deputy dairy commissioners and shall work in conjunction with the State dairy commissioner. The State deputy commissioners shall make such reports as required by the State dairy commissioner, and it shall be the duty of said State dairy commissioner to make an annual report to the governor not later than January 1 of each year, and he shall be furnished an office at the seat of the New Mexico Agricultural College by the board of regents of said college. The salary of the State dairy commissioner shall be set by the board of regents of the

State agricultural college.

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SEC. 2. Duties.—The State dairy commissioner, under the direction of the regents of the Agricultural College of New Mexico, shall perform the duties hereinafter prescribed and such other duties as may be prescribed by said regents. It shall be the duty of the State dairy commissioner to inspect, or cause to be inspected, all the creameries, public dairies, butter, cheese, and ice-cream factories, or any place where milk or cream or their products are handled or stored within the State at least once a year or oftener if possible and in connection with the board of regents and the president of the State agricultural college to formulate and prescribe such reasonable rules and regulations for the operation of creameries, butter, cheese, and ice-cream factories, and public dairies as shall be deemed necessary by such board to fully carry out the provisions of this act and of laws now in force or that may hereafter be enacted relative to dairy products, and for the promotion and maintenance of the public health and safety, and also for advancing the value to the outside world of New Mexico dairy products. He shall act on such reports and com-plaints as he may receive from owners and managers of public dairies, creameries, butter, cheese, and ice-cream factories, or other persons wherein are re-ported to him the names and locations of one or more producers of milk, cream, butter, cheese, or ice cream who are offering for sale milk, cream, butter, cheese, or ice cream that is not fresh and clean, and in such instances he may inspect barns or farmhouses, creameries, factories, or other places where dairy products or utensils are produced, kept, handled, or sold, give advice and instructions of the proper performance of the work, and where such instructions are disobeyed to prevent the sale of unclean or unwholesome milk, cream, butter, cheese, or ice cream until such time as his instructions are complied with. It shall further be his duty to condemn for food purposes unclean or unwholesome milk, cream, butter, cheese, or ice cream wherever he may find them. He shall compile and publish annually statistics and information concerning all phases of the dairy industry in this State, and the manufacturers of dairy products, upon his request, shall furnish the dairy commissioner such reports and statistics as he may require, and such reports shall be used for the purpose of compiling statistical reports of general dairy interest. He shall cooperate with the State agricultural college in the holding of farm institutes and special dairy meetings in so far as it will not conflict with the performance of his official duties, and in general strive for the promotion of the best interests of the dairy industry in the State. He shall preserve in his office all correspondence,

records, documents, and property of the State pertaining thereto and turn over the same to his successor. The State dairy commissioner shall devote his whole time to the duties of his office, and during his term of office shall hold no other official or business position nor any professorship in any educational institution.

SEC. 3. Powers of commissioner and deputies.—In the performance of their official duties the State dairy commissioner and his deputies are hereby authorized and empowered to enter, during business hours, all creameries, public dairies, cheese and ice-cream factories, or other places where dairy products are manufactured, produced, stored, sold, or kept for sale or transportation, for the purpose of inspecting the same; to take samples anywhere of any dairy products or imitation thereof suspected of being made or sold in violation of law, and cause the same to be analyzed or satisfactorily tested by the State chemist's office or such other department of the State agricultural college having charge of such work. Such analyses or tests shall be preserved and recorded as evidence, and the certificate of such test, when sworn to by such chemist or such other officer having charge of such work, shall be admitted in evidence in all prosecutions that may result under the operation of this act. They shall also have power to examine, under oath or otherwise, any person who they believe has knowledge concerning the unlawful operation of any creamery, public dairy, butter, cheese, or ice-cream factory. The dairy commissioner shall have power to issue subpænas requiring the appearance of witnesses, and the production of books and papers, and to administer oaths with like effect as is done in courts of law in this State. It shall be the duty of any district court or the judge thereof, upon the application of said State dairy commissioner to issue an attachment for such witnesses, and compel him or them to attend before the commissioner and give testimony upon such matters as he or they shall be lawfully required to give by such commissioner, and said court or judge shall have power, in cases of refusal, to punish for contempt, as in other cases of refusal to obey the orders and process of the court.

Sec. 4. Wholesomeness of products.—The term "creameries, public dairies, butter, cheese, and ice-cream factories," for the purpose of this act, shall be considered to mean such as produce or manufacture for sale dairy products, either at wholesale or retail. All milk or cream, butter, cheese, ice cream, or dairy products sold or offered for sale shall be delivered pure and fresh and handled with clean utensils. In all cases it shall be unlawful to sell or offer for sale milk or cream from diseased or unhealthy animals or handled by any person suffering from or coming in contact with persons afflicted with any contagious disease. In all prosecutions and proceedings for the enforcement in any of the courts of this State of all laws and regulations of whatsoever nature now in force, or which may hereafter be enacted, pertaining to the production, sale, and distribution of dairy products of any kind whatsoever, the standards of purity and the definition of said products shall be such as are hereafter stated, and whosoever shall sell or offer or expose for sale anywhere in this State, milk, cream, butter, cheese, or ice cream containing any foreign substance or preservatives of any kind whatsoever except common salt, or the milk or cream of any diseased or unhealthy animal, or that shall not comply with the standards

hereinafter provided, shall be guilty of a misdemeanor.

SEC. 7. Sanitary requirements.—It shall be unlawful for any person, persons, company, partnership, corporation, or association, or any manager, employee, or agent thereof, to handle milk, cream, butter, ice cream, or other dairy products in unclean or unsanitary places, or in any unsanitary manner, or to keep, store or handle, or care for the same in any room, building, or inclosed place in which oils, vegetables, eggs, poultry, or other strongly flavored products are kept or handled, or to keep, store, or handle milk, cream, or other dairy products in any place opening upon or connected with any cow, horse, or hog barns or sheds, or other places where livestock is kept, housed, or handled, and the State dairy commissioner and his deputies shall have the power and they are hereby authorized to forbid the handling of cream, milk, butter, ice cream, or other dairy products in such places or in any other places that will in any way injure the flavor or market value thereof. It shall be unlawful for any person, persons, firm, partnership, company, corporation, or association to handle, test, or ship milk, cream, or ice cream or other dairy products in unclean or unsanitary vessels, or to expose milk, cream, or other dairy products to flies or other contaminating influences liable to convey pathogenic or other injurious bacteria to such milk, cream, ice cream, or other dairy products; and it shall be unlawful for any common carrier to neglect or

fail to remove or ship from any railroad depot on the day of its arrival there for shipment any milk, cream, or other dairy products left at such depot for transportation, and it shall be unlawful for any person, firm, partnership, company, corporation, or association using cans in which milk or cream is shipped to allow the same to remain at a railroad depot longer than three days from the date of their arrival, or to allow them to stand more than three days without removing the covers and inverting the cans in pure air. It shall be unlawful to use, lend, or lease for use any cream or milk can or ice-cream packer or container for any other purpose than the handling, storing, or shipping of milk, cream, or ice cream.

Sec. 8. Standards of dairy products.—A. (1) Milk is the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the

milk practically colostrum free.

(2) Pasteurized milk is milk that has been subjected to a temperature not lower than 145° F. for not less than 30 minutes, after which it is promptly

cooled to 50° F. or lower.

(3) Homogenized milk is milk that has been mechanically treated in such a manner as to alter its physical properties with particular reference to the condition and appearance of the fat globules.

(4) Skimmed milk is milk from which substantially all of the milk fat has

been removed.

(5) Buttermilk is the product that remains when fat is removed from milk or cream, sweet or sour, in the process of churning. It contains not less than 8.5 per cent of milk solids not fat.

(6) Goat's milk, ewe's milk, etc., are the fresh, clean, lacteal secretions, free from colostrum, obtained by the complete milking of healthy animals other than cows, properly fed and kept, and conform in name to the species of animal

from which they are obtained.

(7) Evaporated milk is the product resulting from the evaporation of a considerable portion of the water from milk, or from milk with adjustment, if necessary, of the ratio of fat to nonfat solids by the addition or the abstraction of cream. It contains not less than 7.8 per cent of milk fat, nor less than 25.5 per cent of total milk solids: *Provided, however*, That the sum of the percentages of milk fat and total milk solids be not less than 33.7 per cent.

(8) Sweetened condensed milk is the product resulting from the evaporation of a considerable portion of the water from the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, to which sugar (sucrose) has been added. It contains not less than 28 per cent of total milk solids and not less than 8 per cent of milk fat.

(9) Evaporated skimmed milk is the product resulting from the evaporation of a considerable portion of the water from skimmed milk, and contains not

less than 20 per cent of milk solids.

[No paragraph (10).]

(11) Dried milk is the product resulting from the removal of water from milk, and contains not less than 26 per cent of milk fat and not more than 5 per cent of moisture.

(12) Dried skimmed milk is the product resulting from the removal of water

from skimmed milk, and contains not more than 5 per cent of moisture.

B. (1) Cream is that portion of milk rich in butterfat which rises to the surface of the milk on standing or is separated from it by centrifugal force,

and contains not less than 18 per cent of butterfat.

- (2) Cream to be used in the manufacture of butter that is not delivered to point of shipment within 24 hours after milking must contain not less than 25 per cent butterfat and shall be delivered in wholesome condition. No part of any shipment of cream to be used in the manufacture of food products shall be more than four days old when delivered at the point of shipment during the months of May to October, inclusive, and five days old during November to April, inclusive. Such cream must not be delivered at the point of shipment more than one hour before the schedule time of the train on which it is to be shipped, unless kept in a protected, cool, and sanitary place, free from foul odors.
- C. (1) Butter is the product made by gathering, in any manner, the fat of fresh or ripened milk or cream into a mass which also contains not less than

80 per cent of butterfat and less than 16 per cent of water, or such test as shall be established by the Department of Agriculture of the United States: Provided, That the amount of butterfat or water in the product of any one manufacturer, or in any given quantity of butter, shall be determined as hereinafter provided with reference to renovated or process butter; butter may also contain a

harmless vegetable coloring matter.

(2) Renovated or process butter is the product made by melting butter and reworking, without the addition or use of chemicals or any substance except milk, cream, or salt, and contains not less than 80 per cent of butterfat and less than 16 per cent of water, or such test as shall be established by the Department of Agriculture of the United States: Provided, That the amount of butterfat or water in the product of any one manufacturer, or in any given quantity of butter, renovated, or processed butter, shall be ascertained in the following manner, to wit: Five samples shall be taken from five different packages of any one manufacturer, or from any one tub or churning of butter, and a careful analysis made by the official method adopted by the Association of Agricultural Chemists. If this analysis shall show less than 80 per cent of butterfat or 16 per cent or more of water, butter or process butter thus analyzed shall be deemed adulterated butter, and shall be condemned for food purposes by the commissioner. Renovated or process butter may also contain a harmless vegetable coloring matter.

D. (1) Cheese is the solid and ripened product made by coagulating the casein of milk by means of rennet or acids, with or without the addition or ripening ferments or seasoning; cheese may also contain harmless vegetable

coloring matter.

(2) Whole milk or full-cream cheese is cheese made from milk from which no portion of the fat has been removed, and contains not less than 50 per cent of butterfat in proportion to total solids.

(3) Skim milk cheese is cheese from milk from which any portion of the fat

has been removed.

E. (1) Ice cream is a frozen product made from cream, or cream and milk, or the sweet, pure products of cream and milk, and sugar, with or without natural flavoring and with or without pure, fresh, sweet, wholesome eggs and with or without the addition of gelatine, vegetable gums, or such other wholesome stabilizers as may be approved by the dairy commissioner, and contains not less than 12 per cent of milk fat and not less than a total of 20 per cent of milk solids.

(2) Fruit ice cream is a frozen product made from cream or cream and milk, or the sweet, pure products of cream and milk, and sugar, and sound, clean, mature fruits, with or without the addition of pure sweet, fresh, wholesome eggs and with or without the addition of gelatine, vegetable gums. or such other wholesome stabilizer as may be approved by the dairy commissioner and contains

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not less than 10 per cent of milk fat.

(3) Nut ice cream is a frozen product made from cream, or cream and milk, or the sweet, pure products of cream and milk and sugar and sound, non-rancid nuts, with or without the addition of pure, fresh, sweet, wholesome eggs and with or without the addition of gelatine, vegetable gums or such other wholesome stabilizers as may be approved by the dairy commissioner, and con-

tains not less than 10 per cent of milk fat.

SEC. 9. * * B. After January 1, 1928, it shall be unlawful for any person, firm, or corporation to operate a creamery, cream-buying station, cheese factory, or ice-cream factory or to retail ice cream within the State of New Mexico, or for any person, firm, or corporation to ship into the State of New Mexico for the purpose of selling or distributing within the State any butter, cheese, or ice cream without having first secured a permit signed by the dairy commissioner and bearing the seal of his office. Such permit shall be displayed conspicuously at said place of business. Permits shall be issued for one year and shall be canceled and withdrawn by the dairy commissioner for failure to comply with any of the provisions of this act. The dairy commissioner shall collect for such permits as follows: For a permit for a creamery, cheese factory, or ice-cream factory, or for a single establishment manufacturing one or more dairy products, whether located within the State of New Mexico or located outside of said State and shipping such dairy products into the State for sale or distribution the sum of \$25 for each calendar year: Provided, That persons within

the State of New Mexico making butter or cheese or ice cream from the milk produced by their own herds only shall not be required to secure such permits: And provided further, That persons manufacturing ice cream for their own retail trade exclusively shall not be required to secure a permit other than for retailing ice cream; for a permit to operate a cream-buying station the sum of \$10 for each calendar year if such cream-buying station is operated by any one other than the bona fide owner of such station; for a permit to retail ice cream

the sum of \$1 for each calendar year.

C. All fees for permits or examinations collected by the dairy commissioner under the provisions of this act shall be deposited by said dairy commissioner with the accountant of the New Mexico College of Agriculture and Mechanic Arts and shall be kept in a separate account to be known as the dairy commissioner's fund. Expenditures from this fund shall be made in the same manner as from other funds in the hands of said accountant, but such expenditure shall be made only for the maintenance and support of the dairy commissioner's office and the necessary expenses connected therewith. The dairy commissioner shall make a full and complete accounting for such funds in his annual report provided for by this act.

Sec. 11. *Penalty*.—Any person, company, or corporation, or any agent of any company or corporation violating any of the provisions of this act shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$200 for each offense.

Communicable Diseases of Animals—Penalty for Violation of Law Relating to Prevention, Control, and Eradication of. (Ch. 25, Act March 7, 1927)

[This act amends sections 105 and 107 of the statutes annotated, 1915, to read

as follows:1

Sec. 105. Any owner or person having control of any of said livestock or any other person, whether an officer or employee of said board or a private person, who shall willfully violate any provisions of sections 98 to 105, or regulations or orders lawfully made in conformity therewith, or who shall in any manner hinder or obstruct the execution of any such regulation or order, or hinder, resist, or obstruct any officer or employee of said board or the State veterinarian or any inspector in the discharge of his duty or in the exercise of his lawful powers, or who shall willfully or negligently break any quarantine or willfully or negligently suffer any quarantined animal or animals to escape from any quarantine, shall be deemed guilty of a misdemeanor, and upon conviction shall be fined not less than \$50 nor more than \$500, or imprisoned for

not less than 30 days nor more than 6 months, or both.

Sec. 107. That any person, firm, corporation, agent, or employee having in his possession or under his care any animal which he knows or has reason to believe is affected with a dangerously contagious or infectious disease, and does not, without unnecessary delay, make known to said board or some member thereof, or to the sheriff or constable of the county, to be by him communicated to said board, or any person, corporation, or employee or agent thereof, who shall bring into this State, or sell or dispose of any animals knowing the same to be affected as aforesaid, or any animal having been exposed to such contagion or shall move any animal so diseased or exposed from quarantine to which it was ordered, or shall move any animal to or from any districts in the State declared to be infected with such contagious disease or shall bring into this State any animal of the kind diseased from a district outside of the States that may at any time be legally declared to be affected with such disease without the consent of said board, shall, upon conviction of any of the aforesaid offenses, be fined in a sum not less than \$50 and not exceeding \$500. And any guard or other proper expenses incurred in the quarantining of the animals under the provisions of sections 106 to 111 shall be paid by the owner thereof, and if the same is refused, after demand made by order of the board, an action may be brought to recover the same with costs of suit, which action may be in the name of the State for the use of the cattle sanitary board.

It shall be the duty of all sheriffs and constables to execute within their several counties all lawful orders of the said Loard.

Births and Deaths-Appointment, Powers, Duties, and Compensation of Subregistrars—Certified Copies of Certificates—Inspection of Certificates by Public-Duties of County Health Officers, County Clerks, and State Director of Public Health. (Ch. 52, Act March 11, 1927)

[This act amends section 17 (as amended by ch. 15,1 laws of 1925) of chapter

85,3 laws of 1919, to read as follows:]

SEC. 17. Registration of births and deaths.—Each county health officer shall appoint subregistrars for the purpose of receiving for registration birth and death certificates, and for issuing burial or removal permits: Provided, That not more than one subregistrar shall be appointed in any school district, or in any one incorporated city, town, or village. Such subregistrars shall hold office at the pleasure of the appointing power, shall have such powers and duties with respect to the registration of births and deaths and the issuance of burial or removal permits as the State board of public welfare shall by regulation prescribe, and shall receive such compensation for services rendered and expense

incurred as is hereinafter provided.

There shall be paid by the county commissioners, from the county health fund, to all duly appointed and approved subregistrars, the sum of 25 cents for each birth certificate, and the sum of 25 cents for each death certificate, which shall be received by him and be by him properly filed in accordance with the regulations of the State board of public welfare. Such payments shall be made quarterly in February, May, August, and November, upon certification by the director of public health to the county treasurer, which certification shall state the names of the persons to whom payment is to be made, the number of certificates properly received and transmitted by him, and the amount to be paid therefor: Provided, however, That payment shall be made only for certificates fully and completely made out in accordance with the regulations of the State board of public welfare.

Certified copies of birth and death certificates shall be made only from the original certificates, and not from copies. For issuing a certified copy of an original certificate of birth or death, the director of public health shall be entitled to, and shall receive, from the person to whom the certified copy is issued, the sum of 50 cents, if a resident of this State, and the sum of \$1 if a nonresident. Fees received for the certification of birth and death certificates shall be accounted for in a special fund by the director of public health, and the proceeds thereof shall be paid by him to the State treasurer at the end of

each month, to be credited to the bureau of public health.

The director of public health shall not collect nor account for fees for certifica copies of birth and death certificates furnished to veterans of any wars in which the United States may have been engaged, when such certificates are required by such veterans for the making of claims against the Government, nor for such certified copies furnished to the United States Veterans' Bureau, or the United States Bureau of Pensions, nor for such certified copies furnished for official purposes only to any other governmental official, bureau, or department.

Certificates of births and deaths shall not be open to the general inspection of the public, except in the presence of the legal custodian of such records, and under such restrictions as the State board of public welfare may by regulation prescribe to prevent mutilation, alteration, or injury thereof, or wrongful or

improper use of the information contained therein.

Each county health officer shall make a true and correct copy, in unfading ink. of all birth and death certificates filed with him, and shall deliver such copies to the county clerk. The county clerk shall receive, file, bind, and index for the permanent county record all copies of birth and death certificates delivered to him by the county health officer. All original birth and death certificates shall be transmitted by the county health officer, by United States mail, to the director of public health, who shall receive, file, bind, and index such original certificates for the permanent State record.

Chapter XIII of the New Mexico Statutes, Annotated, Codification of 1915, is

hereby repealed.

Supplement 59 to Public Health Reports, p. 333.
 Supplement 42 to Public Health Reports, p. 524.

Garbage—Municipalities Authorized to Provide for Keeping, Collection, and Disposal. (Ch. 17, Act March 4, 1927)

SECTION 1. The word "person" as used in this act shall include every person, firm, or corporation owning or controlling any house, residence, shop, establishment, hotel, restaurant, market, apartment or tenement house, or any place of business within the limits of any incorporated city, town, or village of the State of New Mexico.

SEC. 2. The word "garbage" as used in this act shall include any and all rejected or waste food, offal, swill, carrion, ashes, dirt, slops, waste paper, trash, rubbish, and waste or unwholesome materials of every kind and character.

Sec. 3. That the legislative or governing bodies of cities, towns, and villages shall have the power to provide, by ordinance, for the enforcement of a general system of garbage collection and disposal, and may, in the exercise of that power, prevent the deposit of garbage either on public or private property and compel its removal to designated points; require all garbage to be removed to designated points or to require every person owning or controlling any house, shop, residence, establishment, or place of business to provide and maintain, or cause to be provided and maintained, suitable receptacles and to deposit therein all garbage and to place such receptacle conveniently for removal; provide the kind, size, and material of such receptacle; and provide for the destruction of

such garbage so collected or its use for some beneficial purpose.

SEC. 4. The legislative or governing bodies of cities, towns, and villages may provide for the removal and disposal of garbage by the designation or selection of suitable person or persons as garbage collector or collectors, either by appointment, contract, or otherwise, and shall prescribe the duties and compensation of such garbage collector or collectors so selected by appointment, contract, or otherwise and may provide that such garbage collector or collectors shall receive and collect from every person owning or controlling any house, shop, residence, establishment, or place of business within such city, town, or village a reasonable sum, the amount and manner of payment to be fixed by the legislative or governing bodies thereof. Such sum so paid may be either paid into the city treasury to defray the expenses of such garbage collection and disposal or may be retained by such garbage collector or collectors as and for his or their compensation for the services so rendered as such legislative or governing body may in their judgment deem best.

Sec. 5. The legislative or governing bodies of cities, towns, and villages shall have the power to provide by ordinance, not in conflict herewith, for the carrying out of the provisions of this act and shall have the power to provide for the

penalty and punishment for failure to comply therewith.

Sec. 6. Whenever any person owning or controlling any house, shop, residence, establishment, or place of business within the limits of any city, town, or village shall fail or refuse to pay the amount required by ordinance to be paid for the removal of such garbage, or if any person shall suffer garbage to be thrown, left, or deposited in or upon the premises under his control other than in the proper receptacle as provided by ordinance, and shall fail or refuse to remove or place the same in such proper receptacle within 48 hours after the same is thrown, left, or deposited on such premises, then and in that event such city, town, or village is authorized at its own expense to remove the same from said premises; and in such case an assessment shall be made against the property, if any, specially benefited by such removal of the cost of such removal to the amount by which such property is specially benefited by such removal.

SEC. 7. The assessments provided for in section 6 of this act shall be made by the governing body of such city, town, or village from data furnished by the health officer thereof, and said legislative or governing body shall make an assessment roll containing in columns the name of the owner of each lot or parcel of land separately assessed, if known to them, a description of each such lot or parcel of land, and the amount assessed separately against each

such lot or parcel of land.

Sec. 8. After the assessment roll provided for in section 7 of this act is made out and filed with the city clerk, the said city clerk shall give 10 days' notice by one publication in the official paper of the city that the assessment roll is on file in the clerk's office, which notice shall describe the removal and what was removed, and shall state a time at which the council will meet to hear the appeals or protests of the parties aggrieved by such assessment.

SEC. 9. At the time fixed for such appeal or protest meeting, as provided for by section 8 of this act, said legislative or governing body shall meet and hear and determine upon all appeals, protests, and objections which may be made by any party interested in the regularity of the proceedings or to the correctness of the amount of such assessment or of the amount levied upon any particular lot or parcel of land; and if the proceedings are found to be regular, they shall correct any errors which may have been found in the assessment, and shall thereupon by resolution direct the confirmation of such proceedings, and the proceedings and assessments as so confirmed shall thereafter be deemed the final determination of the regularity, validity, and correctness of the assessment and the amount thereof.

Sec. 10. On or before the 1st day of October of each year the city clerk shall certify to the city council a statement of all assessments delinquent under any ordinance enacted pursuant thereto, describing the land affected and giving the amount of the assessment with penalty added at the rate of 1 per cent per month, after which the assessment shall be a lien upon such lot or parcel of land described in such confirmed assessment roll, and it shall be the duty of the city clerk of said city, or recorder of said town, to make out, sign, attest with the seal of said city, and file and record in the office of the county clerk of the county in which said city, town, or village is located, a claim of lien therefor; and all subsequent purchasers, mortgagees, or incumbrances of such lot or parcel of land shall take the same subject to such lien.

Such lien shall bear interest at the rate of 8 per cent per annum from the date of filing thereof until paid, and, after such recording, may be sold and assigned to any person for its face value, with interest, and may be foreclosed at any time after such recording in the same manner as provided for the foreclosing of mortgages on real estate.

Sec. 11. The provisions of chapter 106 and chapter 133 of the session laws of 1923, with reference to the manner of filing and foreclosing of municipal liens, shall apply to the provisions hereof, and to ordinances enacted pursuant hereto.

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Communicable Diseases—Placarding—Duties of Local Registrars of Vital Statistics and Local Health Officers When Deaths from, Are Reported. (Reg. Dept. of H., February 9, 1927, and January 12, 1927)

[CHAPTER II] REGULATION 20. Posting placards.—When a case of diphtheria, epidemic (lethargic) encephalitis, epidemic cerebrospinal meningitis, measles, poliomyelitis—acute anterior (infantile paralysis), scarlet fever, smallpox, whooping cough, or typhus fever exists in any house, or apartment, or room, it shall be the duty of the health officer to post upon such house or apartment or room, or rooms in which such case is isolated, near the entrance thereof, a placard stating the existence therein of a communicable disease, provided that with the approval of the State commissioner of health the health officer may during the period of such approval dispense with the posting of placards for any or all cases of measles.

REGULATION 42-b. Duties of registrars and health officers when deaths from communicable diseases are reported .- 1. It shall be the duty of the local registrar of vital statistics whenever a certificate of death from a communicable disease has been filed with him to immediately report to the health officer the name, age, and address of the deceased, together with the disease, and the name of

the physician who has filed such certificate.

2. It shall be the duty of every health officer upon receiving such report to ascertain immediately whether such person has been reported as suffering during life with such communicable disease. The health officer shall promptly forward all such reports or copies thereof to the State department of health, except as provided in paragraph 4 of this regulation.

3. It shall be the duty of every health officer, (except in a general health district), if he ascertains that a physician has failed to report a case of communicable disease, to inform the physician of his failure to conform with the sanitary code, and to report to the State department of health the name of

every physician failing to report cases of communicable diseases.

4. In any general health district it shall be the duty of the local health officer upon the receipt of any report, under the provisions of paragraph 1 of this regulation, to forward such report at once to the district health officer, who, if he ascertains that the physician has failed to report such case of communicable disease, shall inform the physician of his failure to conform with the provisions of the sanitary code, and shall report such fact with the name and address of such physician to the State department of health.

Typhoid Carriers—Disposal of Urine and Feces of. (Reg. Commissioner of H., February 17, 1927)

[Regulation 3 of the regulations of the State commissioner of health for

the control of typhoid carriers was amended to read as follows:]

3. The urine and feces of a typhoid carrier shall be disposed of in such a manner that they will not endanger any public or private water supply nor be accessible to flies.

Midwifery—Regulation of Practice of. Ophthalmia Neonatorum—Preventive Treatment and Reports of Cases by Midwives. Births—Reports of, by Midwives. (Reg. Commissioner of H., as Amended May 9, 1927)

RULE 1. Midwife to sign pledge.—Whenever a license is issued to a woman to practice as a midwife she shall be given a copy of the vital statistics law, article 8A of the public health law, and the special rules and regulations of the State department of health relating to midwives and the practice of midwifery, and she shall pledge herself to carry out said provisions and shall sign a pledge on a specially prepared blank. The license shall be returned by the

¹ Supplement 49 to Public Health Reports, p. 247.

midwife to the State department of health at the close of the current calendar year, or at any time during said calendar year when the midwife may remove outside the jurisdiction of article 8A of the public health law.

RULE 2. Midwife to attend only normal cases.—A midwife shall attend only cases of normal labor in which there is an uncomplicated vertex (head) presen-

tation. In all other cases a physician must be called.

Rule 3. Midwife's home to be open for inspection.—The home of the midwife, her equipment, record of cases, and register of births shall at all times be open to inspection to the authorized officers, inspectors and agents of the local health

RULE 4. Midwife to be clean.-Each midwife must be scrupulously clean in every way, including her person, clothing, equipment and house. She must not wear rings or bracelets when attending a case of labor. She must keep her nails short, smooth and clean and the skin of her hands, as far as possible, free from cracks and abrasions by the use of some simple application. When attending a case of labor she must wear a clean dress, of washable material which can be boiled, such as linen or cotton, and over it a clean freshly laundered apron or coverall. The sleeves of the dress must be so made that they can be readily rolled up above the elbows.

RULE 5. Cases to be referred to physicians.-If, during pregnancy, any of the following conditions develop, or are suspected, the midwife shall not engage to attend the case, but must refer it to a physician:

1. Whenever the patient is a dwarf or is deformed. Whenever there is sudden sharp pain in abdomen.

3. Whenever there is bleeding or repeated staining in small amounts. 4. Whenever there is swelling or puffiness of the face, hands, or feet.

5. Whenever there is excessive vomiting.

6. Whenever there is excessive shortness of breath.

7. Whenever there is persistent headache.8. Whenever there is dimness of vision.

9. Whenever there is loss of consciousness, fainting, fits, or convulsions.

10. Whenever there is heart or kidney disease,

11. Whenever there is persistent cough with loss of weight.

12. Whenever there is a purulent discharge from any part of the body.

13. Whenever there are sores or warts on the genitals.

14. Whenever there is communicable disease.

15. Whenever there is any case known to have syphilis or suspected of it.

RULE 6. Midwife's equipment.—Every midwife must take to each case the

Nail brush; wooden nail cleaner; bottle of liquid soap; freshly laundered gown or cover all apron; clean cap or square which will cover hair; tube of vaseline; lysol; silver nitrate outfit, (furnished free of charge, obtained from local laboratory supply station); blunt seissors for cutting cord; narrow tape or soft twine for tying cord; sterile absorbent cotton, (preferably in 14-pound package); sterile gauze for cold dressing 1 (in individual packages); ciinical thermometer; agate or glass douche reservoir; two rounded vaginal douche nozzles (not to be used except upon physician's order); two rectal nozzles, large

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and small; one soft rubber catheter. RULE 7. Container for equipment; how, to be kept.—The equipment specified in rule 6 must be carried in a suitable bag fitted with a lining of washable material which can be easily removed. As this lining must be washed and boiled before each case of labor a sufficient supply of linings must be provided. The bag and its contents must at all times be kept neat and clean. The douche

nozzles for rectal and vaginal use must be kept separately.

At every case before using the nail brush, nail cleaner, douche reservoir and tubing, vaginal nozzle, catheter, scissors, and tape or twine, they must be boiled for five minutes; hard rubber nozzles should be thoroughly cleansed with hot water and soap and put in lysol solution for 15 minutes before using; when the labor is terminated the douche reservoir and tubing, vaginal nozzles, catheter, scissors, nail brush, nail cleaner, must be washed with soap and water and boiled before replacing them in the bag.

RULE 8. Preparation for internal examination.—Before making an internal examination or conducting a delivery a midwife must prepare her hands and

the patient as follows:

¹ Minimum equipment.

The midwife, after thoroughly washing her hands and arms with warm water and soap, must thoroughly wash the lower part of the patient's abdomen, the inner surface of the thighs, and the external genitals, always sponging from above down with warm water and soap, then rinse them with clean water and a disinfecting solution prepared by adding 1 teaspoonful of lysol to 1 quart of water. She must then cover the genitals with a clean towel or cloth or cotton which has been soaked in disinfecting solution, and she must allow it to remain there until the examination is made. The midwife's hands must be cleansed and disinfected as follows:

Cut the finger nails with clippers or scissors. Scrub the hands and forearms, including elbows, with the nail brush and liquid soap and warm water for five minutes, paying special attention to the nails and to the inner surface of the fingers. Then soak the hands and arms for three minutes in the disinfecting solution. After having cleaned and disinfected the hands in this way, they must not come in contact with anything before touching the parts of the patient to be examined. Before delivery make as few vaginal examinations as

possible and none after delivery.

No vaginal douche should be given at any time except by physician's order. Rule 9. Midwife not to leave patient.—A midwife in charge of a case of labor must not leave the patient without giving an address at which she may be found without delay, and after the beginning of the second stage she must stay with the patient until the birth is completed, and must stay for at least an hour after the expulsion of the afterbirth. Before leaving the patient examine her for excessive bleeding. Where a physician has been sent for because the case is abnormal or complicated the midwife must await his arrival and be ready to carry out his instructions.

Rule 10. Physician is to be summoned during labor.—If, during labor, any of the following conditions exist or develop, a physician must be summoned

mmediately:

(a) The presenting part is other than an uncomplicated vertex (head).

(b) Intense headache, dimness of vision, fits, or convulsions.(c) Excessive bleeding before, during, or after labor.

(d) Prolapse of the cord.

(e) A swelling or tumor that obstructs the birth of the child.

(f) Signs of exhaustion or collapse of the mother.

(g) Unduly prolonged labor.

(h) When fetal heart has been heard and ceases to be heard.
(i) When fetal heart can not be heard nor fetal movements felt.
(j) When there is severe abdominal pain other than labor pains.

Rule 11. In cases of convulsion or bleeding, physician to be summoned.—If the mother develops convulsions or has excessive bleeding or has been lacerated, a physician must be called in attendance at once.

RULE 12. Midwife to examine afterbirth.—A midwife must, in all cases examine the afterbirth (placenta and membranes) before it is destroyed and must

satisfy herself that all of it has been expelled.

RULE 13. Physician to be called if afterbirth is not expelled.—Under no circumstances shall a midwife introduce her hand into the vagina or uterus to remove either the whole or parts of the afterbirth (placenta and membranes), or pull on the cord. If, after an hour from the birth of the child, the afterbirth (placenta and membranes) is not expelled or can not be expelled by gentle manipulation of the uterus through the abdominal walls, a physician

must be called to extract it.

Rule 14. Procedure after delivery.—After the labor is over the midwife must clean the skin around the external genitals with the antiseptic solution mentioned above, and then place a dry sterile pad over the vulva. The midwife must bathe and dress the patient in this manner at least once daily for seven days after delivery, and also after each time that it is necessary to use a catheter. After the birth is complete the midwife must not make vaginal examinations. If the patient has not urinated for 12 hours and the bladder is full, before using the catheter try placing hot wet compresses over the bladder and pouring warm antiseptic solution over the vulva. Give the patient water to drink. If this fails and it is necessary to catheterize the patient, the catheter must be boiled for five minutes and the midwife, after washing her hands (rule 8), and before passing the boiled catheter, should separate the upper part of the vulva and wash the opening to the bladder by pouring the disinfecting solution over it from a cup or small pitcher that has been previously boiled.

RULE 15. Soiled articles to be removed after labor.—After the labor is over and before washing the baby, the midwife should remove the soiled sheets, together with all soiled pads, newspapers, etc., that have been used to protect

the mattress, leaving the patient on a smooth, dry, clean sheet.

RULE 16. Stillbirths.—Should the child not breathe after birth, the midwife must report the fact at once by telephone, messenger, or in person to the local health officer, when an inspector will visit the case and countersign the stillbirth

certificate which the midwife must leave at the house. The body of the child must not be removed from the premises until this certificate has been approved by the inspector from the local health officer and a

burial or removal permit received from the registrar. RULE 17. Use of silver nitrate.—As soon as the child is born, and if possible before the expulsion of the afterbirth, the eyelids should be washed with water which has been boiled and cooled, using a separate soft linen cloth or clean absorbent cotton for each eye. Wipe the lids from the nose outward, without opening the lids. The eyelids must then be separated and held open and two drops of a 1 per cent solution of silver nitrate dropped into each eye and the lids brought together. Be sure the silver nitrate is inside the lids. One application only of the silver nitrate solution should be used, and ordinarily no further attention should be given the eyes for several hours. The silver nitrate solution will be furnished free by the local laboratory supply station.

RULE 18. Reports of cases of sore eyes .- When the infant has or develops sore eyes, or any redness, inflammation or discharge from the eyes, the midwife in attendance must at once call a physician and must report to the local health officer the name and address of the mother, and state the time when such condition of the eyes was first noticed.

RULE 19. Care of the newborn child.—Before beginning care of child, have everything necessary for its care in readiness in a well-warmed room. A newly born infant must be covered at once and kept warm, therefore have ready to receive it a small, clean, woolen blanket or piece of flannel.

1. As soon as the head is born wipe the mucus from the eyes, using a separate clean piece of cloth or cotton for each eye. Wipe away from the nose.

2. In order that respiration be properly established, remove mucus from the throat by position and from the mouth of the infant by gently wiping with a piece of wet sterile cotton.

3. If the child does not cry promptly after birth, stimulate respiration by

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proper gentle methods. Do not use force. It does no good and does do harm.

4. With thoroughly cleaned hands tie the cord with the boiled tape or twine (rule 7) after pulsations have ceased. Tie cord carefully. Cover cord with sterile dressing. Keep navel covered with sterile dressing until it is healed.

5. If the baby's breasts are swollen do not treat them in any way. If inflamed send for a physician.

6. Use silver nitrate solution in the eyes, as described in rule 17.

7. Examine child carefully for any deformity or malformation or injury. If any are found send for a physician at once.

8. Do not give infant a tub bath until the navel is healed. The first bath should be given with either liquid albolene or olive oil, paying particular atten-

tion to the folds and creases of the body. Wipe dry with a soft clean cloth.

9. Dress infant in simple, clean, warm clothes. Wrap in blanket and keep warm. Do not cover face of child.

10. Instruct and encourage every mother to nurse her child, thereby lessening infant mortality.

11. Make careful examination of child before leaving case to see if there is bleeding from cord and the baby in good condition.

Rule 20. Care of patient after labor.—After labor, and throughout the lying-in period, the midwife must exercise the same care in washing the hands and in dressing or catheterizing the patient as before and during labor.

RULE 21. Physician to be summoned during lying-in period.—If, during the lying-in period, any of the following conditions develop, a physician must be

- 1. When there are convulsions, persistent headache, or dimness of vision.
- 2. When there is excessive bleeding.
- 3. When there is foul-smelling discharge (lochia).
- 4. When there is a persistent rise of temperature to 100° F. for 24 hours. 5. When there is swelling and redness of the breasts or soreness of nipples.
- 6. When there is a severe chill (rigor) with rise of temperature.

7. When there is inability to nurse the child.

RULE 22. Physician to be summoned if child develops certain conditions.— Every child should be thoroughly examined after birth, and if the child has or develops any of the following conditions a physician must be summoned:

1. When there is any deformity or malformation or injury.

2. When there is inability to suckle or nurse.

When there is inflammation around, or discharge from, the navel or breasts.
 When there is swelling and redness of the eyelids with a discharge of matter from the eyes.

5. When there is bleeding from the mouth, navel, or bowels.

6. When there is any rash, sores, or snuffles-suggestive of syphilis.

RULE 23. Midwife to attend cases seven days after labor.—The midwife shall visit her patient at least once daily for seven days after labor, giving the necessary attention to the toilet and bed of both mother and infant. She shall record the pulse and temperature of the mother at each visit and give proper directions as to food of mother and nursing of the child during the periods between her visits; she shall give instructions how to keep in the air in the patient's room fresh; she shall arrange to have the baby sleep in a basket or crib, instead of in the bed with the mother; she shall watch constantly for any symptoms of the complications or abnormalities described in rules 5, 20, and 21.

She shall give to the child its daily bath and attend to the dressing of the

cord.

RULE 24. Disinfection of midwife's equipment, etc., after infectious disease.—Whenever a midwife has been in attendance upon a patient in contact with any person suffering from puerperal fever or from any other condition known or believed to be infectious, she must disinfect herself, her clothing, and all the contents of her bag and other appliances before going to any other maternity patient. In order to disinfect her person a midwife must take a hot bath and must wash her hair. She must disinfect her hands as in rule 8.

She must make an entire change of clothing and have all garments she wore while in attendance upon the infected person washed and boiled. Those garments which can not be washed should be well and repeatedly shaken during the course of two days, and hung out in the open air so that they may be exposed to the rays of the sun. Care should be taken to change their exposure fre-

quently so as to insure the sunlight reaching every part.

Should the midwife herself contract a local infection, such as a sore on her hands, or an abscess or boil, or a communicable disease, such as diphtheria, scarlet fever, typhoid fever, erysipelas, etc., she shall not attend cases of confinement or visit her patients until she has entirely recovered and disinfected herself, her clothing, and all the contents of her bag and other appliances, according to rules 4 and 7, and has received a certificate from the local health officer.

After any case of communicable disease, the house must be thoroughly cleansed and the floor and surface of midwife's bedroom scrubbed with soap and water. Bedding must be washed and boiled. Carpets, hangings, and other articles

which can not be boiled must be sunned and aired.

Rule 25. Report of births.—Within five days of the birth of the child, the midwife must file a complete and correct birth certificate with the local registrar of vital statistics of the registration district (town, village, or city) in which the birth occurred. It is not sufficient to mail a certificate on the fifth day; it must reach the registrar in correct form within five days.

County Tuberculosis Hospitals—Powers and Duties of Board of Managers. (Ch. 137, Act March 15, 1927)

[This act amends subdivisions 7 (as added by ch. 341, laws 1909) and 9 (as amended by ch. 130, laws 1921) of section 47 of chapter 11, consolidated laws, to read as follows:]

[The board of managers:]

7. Shall make to the board of supervisors of the county annually, at such time as said supervisors shall direct, a detailed report of the operations of the hospital during the year, the number of patients received, the methods and results of their treatment, together with suitable recommendations and such other matter as may be required of them, and full and detailed estimates of the appropriations required during the ensuing year for all purposes, including

² Supplement 45 to Public Health Reports, p. 391.

maintenance, the erection of buildings, repairs, renewals, extensions, improvements, betterments, or other necessary purposes. Such report may be printed

for general distribution.

9. Unless by an arrangement satisfactory to the board of managers and approved by the State commissioner of health, such nursing service is otherwise provided by the county, shall employ a county nurse, or an additional nurse or nurses if it deems necessary, for the discovery of tuberculosis cases and for the visitation of such cases and of patients discharged from the hospital and for such other duties as may seem appropriate; and shall cause to be examined by the superintendent or one of his medical staff suspected cases of tuberculosis reported to it by the county nurse, or nurses, or by physicians, teachers, employers, heads of families, or others; and it may take such other steps for the care, treatment, and prevention of tuberculosis as it may from time to time deem wise.

State Department of Health-Organization, Powers, and Duties. State Commissioner of Health—Qualifications, Appointment, Powers, Duties, and Compensation. Deputy State Commissioner of Health—Appointment, Removal, Qualifications, Duties, and Compensation. State Public Health Council—How Constituted—Appointment, Qualifications, and Compensation of Appointive Members—Meetings, Powers, and Duties. State Sanitary Code—Adoption, Amendment, Repeal, Scope, and Effect. Disease or Sickness Caused by Water Escaping or Discharged from Canals—Investigation and Abatement of Cause. State Institutions—Sanitary Inspection—Reports and Control of Communicable-Disease Outbreaks in. Indigent Indians Affected with Communicable Disease-Furnishing Medical Attendance, etc., to, During Epidemic. Embalming and Undertaking-Powers and Duties of State Commissioner of Health Regarding—License. State Institute for Study of Malignant Diseases—Control—Appointment, Duties, and Meetings of Board of Visitors—Research Work by—Duties of State Commissioner of Health in Connection with—Appointment, Qualifications, and Duties of Director—Furnishing of Radium Emanation for Treatment of Private Patients. (Ch. 48, Act February 23, 1927)

[Sections 1-10, 12, and 17-18 amend sections 2 (as amended by ch. 559,3 laws, 1913), 2a (as amended by ch. 559,3 laws, 1913), 2b (as amended by ch. 494 laws, 1923), 2c (as amended by ch. 493, laws, 1923), 3 (as amended by ch. 485, laws, 1923), 3a (as amended by ch. 402, laws, 1922), 4 (as amended by ch. 325, laws, 1924), 7, 14 (as amended by ch. 510, laws, 1921), 36, 291 (as amended by ch. 839, laws, 1920), and 296 (as amended by ch. 71, laws, 1913) of, and adds section 21/2 and article 18 to, chapter 45, consolidated laws, to read as follows:]

SEC. 2. State department of health; commissioner of health; deputy.—There shall continue to be in the State government a department of health. The head of the department shall be the commissioner of health, who shall be a physician, a graduate of an incorporated medical college, of at least 10 years' experience in the actual practice of his profession, and of skill and experience in public health duties and sanitary science, and who shall be appointed by the governor, by and with the advice and consent of the senate, and hold office until the end of the term of the governor by whom he was appointed and until his successor is appointed and has qualified. The present commissioner of health shall be the head of such department and shall hold office until the expiration of his present term and until his successor is appointed and has qualified. If, prior to the expiration of such present term, a vacancy shall occur or exist in the office of the commissioner of health it shall be filled by appointment by the governor, by and with the advice and consent of the senate, for a term expiring with that of the governor by whom the appointment was made. During his term of office he shall not engage in any occupation which would conflict with the performance of his official duties. The commissioner of health shall appoint and at pleasure remove a deputy commissioner, who shall be a physician actively engaged in the practice of his profession in this State for at least five years. The deputy shall perform such duties as shall be prescribed by the commissioner.

Reprint 264 from Public Health Reports, p. 313.
 Supplement 49 to Public Health Reports, p. 257.

⁵ Id., p. 249. 6 Supplement 47 to Public Health Reports, p. 149. 7 Supplement 51 to Public Health Reports, p. 223. 8 Supplement 45 to Public Health Reports, p. 399.

Sec 2a Public health council.—There shall continue to be in the department a public health council, to consist of the commissioner of health and six members, hereinafter called the appointive members, to be appointed by the governor, of whom at least three shall be physicians and shall have had training or experience in sanitary science, and one shall be a sanitary engineer. The terms of office of members shall be six years. Vacancies shall be filled by appointment for the unexpired term. The present members of the council shall continue in office until the expiration of their present terms and until their successors are appointed and have qualified. The public health council shall meet as frequently as its business may require, and at least twice in each year. The governor shall designate one of the members of the public health council as its chairman. The commissioner of health, upon the request of the public health council, shall detail an officer or employee of the department of health to act as secretary of the public health council and shall detail from time to time such other employees as the public health council may require. The public health council shall enact and from time to time may amend by-laws in relation to its meetings and the transaction of its business. The members of the public health council other than the commissioner of health shall each receive an annual salary of \$1,000 and all members shall be reimbursed for their reasonable and necessary traveling and other expenses incurred in the performance of their official duties.

SEC. 2½. Functions, powers, and duties of department.—All the functions of the State department of health and of the office of commissioner of health and all their powers and duties which were transferred to the department of health by section 341 of the State departments law or shall have been prescribed by law when this section as hereby enacted takes effect, whether in terms vested in such department, in the commissioners of health, in the public health council, or a committee, member, or officer thereof, shall continue to be vested in the department of health continued by this chapter and shall continue to be exercised and performed therein by or through the commissioner of health or the appropriate council, division, bureau, or officer of such department as prescribed by or pursuant to law, together with such functions, powers, and duties as hereafter may be conferred or imposed upon such department by law. All the provisions of this chapter shall apply to the department of health, the public health council, and to the divisions, bureaus, and officers in such

department.

Sec. 2b. Sanitary code.—Subject to approval by the commissioner of health, the public health council shall have power by the affirmative vote of a majority of its members to establish and from time to time amend and repeal sanitary regulations, without discrimination against any licensed physicians. The regulations so established shall be called the sanitary code. The sanitary code may deal with any matters affecting the security of life or health or the preservation and improvement of public health in the State of New York, and with any matters as to which jurisdiction is hereinafter conferred upon the public health council. The sanitary code may include provisions regulating the practice of midwifery and for the promotion of health in any or all Indian reservations. Every regulation adopted by the public health council shall state the date on which it takes effect, and a copy thereof, duly signed by the secretary of the public health council, shall be filed as a public record in the State department of health and a copy thereof shall be sent by the commissioner of health to each health officer within the State, and shall be published in such manner as the public health council may from time to time determine. The commissioner or his deputy shall furnish certified copies of such code and its amendments for a fee of \$1 and such certified copies shall be received in evidence in all courts or other judicial proceedings in the State. The provisions of the sanitary code shall have the force and effect of law and any violation of any portion thereof may be declared to be a misdemeanor. No provision of the sanitary code shall relate to the city of New York or any portion thereof, and every provision of the sanitary code shall apply to and be effective in all portions of the State except the city of New York unless stated otherwise.

Sec. 2c. Enforcement of sanitary code.—The provisions of the sanitary code shall, as to matters to which it relates, and in the territory prescribed therefor by the public health council, supersede all local ordinances heretofore or hereafter enacted inconsistent therewith. Each city, town, or village may, in the manner hereinafter prescribed, enact sanitary regulations not inconsistent

with the sanitary code established by the public health council. The public health council shall have power, subject to approval by the commissioner of health, to prescribe by regulations the qualifications of directors of divisions, district State health officers, local health officers hereafter appointed, and public

The actions, proceedings, and authority of the State health department in enforcing the provisions of the public health law and sanitary code applying them to specific cases shall at all times be regarded as in their nature judicial, and shall be treated as prima facie just and legal. All meetings of said public health council shall in every suit and proceeding be taken to have been duly called and regularly held, and all regulations and proceedings to have been duly authorized unless the contrary be proved.

The public health council shall have no executive, administrative, or appointive duties. It shall, at the request of the commissioner of health, consider any matter relating to the preservation and improvement of public health, and may advise the commissioner thereon; and it may from time to time submit to the commissioner any recommendations which it may deem wise.

Sec. 3. Compensation of officers and employees.—The commissioner of health shall receive an annual salary of \$12,000, and his expenses actually and necessarily incurred in the performance of his official duties, to be paid monthly on the audit of the comptroller. The commissioner of health shall appoint such assistants as are necessary for the proper performance of the powers and duties of the department, and fix their compensation within the amount appropriated therefor by the legislature. He shall fix, in the same manner, the compensation of the deputy commissioner.

SEC. 3a. Divisions.—There shall be in the State department of health the following divisions, together with such other divisions as the commissioner may from time to time determine:

- 1. Division of administration.
- 2. Division of sanitation.
- 3. Division of laboratories and research.
- Division of communicable diseases.
- 5. Division of vital statistics.
- 6. Division of publicity and education.
- 7. Division of maternity, infancy, and child hygiene.
- Division of public-health nursing.
 Division of tuberculosis.
- 10. Division of social hygiene.

Each such division shall be under the management of a director appointed by the commissioner.

SEC. 4. General powers and duties of commissioner.—The commissioner of health shall take cognizance of the interests of health and life of the people of the State and of all matters pertaining thereto. He shall exercise general supervision over the work of all local health authorities except in the city of New York. He shall have general supervision and control of the medical treatment of patients in the New York State hospital for the treatment of incipient pulmonary tuberculosis at Raybrook and the New York State orthopedic hospital for children at West Haverstraw. He shall be charged with the enforcement of the public health law and the sanitary code. He shall make inquiries in respect to the causes of disease, especially epidemics, and investigate the sources of mortality, and the effect of localities, employments, and other conditions upon the public health. He shall obtain, collect, and preserve such information relating to mortality, disease, and health as may be useful in the discharge of his duties, or may contribute to the promotion of health or the security of life in the State. He may issue subpenas, compel the attendance of witnesses and compel them to testify in any matter or proceeding before him, and a witness may be required to attend and give testimony in a county where he resides or has a place of business without the payment of any fees. The commissioner of health may reverse or modify an order, regulation, by-law, or ordinance of a local board of health concerning a matter which, in his judgment, affects the public beyond the territory over which such local board has jurisdiction. He may, in his discretion, from time to time create health districts comprised exclusively of land owned by or held in trust for the people of the State by filing in the office of the secretary of state an order defining generally the boundaries of such district or districts. Upon the making and filing of such order the commissioner of health shall have exclusive jurisdiction within such district or districts so defined for sanitary and health purposes, and he, within such district or districts, shall have all the powers and duties of local boards of health, and he and such representatives as he may appoint for such purpose shall, within such district or districts, have all the powers and duties under the law of the State and the State sanitary code which local health officers now have or hereafter shall have within their respective localities. The State health commissioner may from time to time modify or repeal such order or orders. The commissioner of health and any person authorized by him so to do may, without fee or hindrance, enter, examine, and survey all grounds, erections, vehicles, structures, apartments, buildings, and places.

grounds, erections, vehicles, structures, apartments, buildings, and places.

SEC. 7. Overflow of water from the canals.—Whenever water escaping or discharged from any of the canals of the State, through water gates, spillways, or otherwise, shall overflow adjacent lands, or any creek or stream receiving such waters, or collect in stagnant pools along the canal or any such creek or stream to such an extent as to cause disease or sickness to the inhabitants of the vicinity, any three of such inhabitants may make a written complaint thereof under oath to the commissioner of health, setting forth the extent of the injury to the public health, so far as is within their knowledge, and the length of time the disease or sickness has existed, which shall be accompanied by a verified certificate of a practicing physician of the vicinity, stating the facts known to him, pertaining to the allegations of the complaint. Upon receipt of such complaint, the commissioner of health shall forthwith examine into the facts and circumstances therein set forth, and may call on the State superintendent of public works to make such survey as they may require for their information, who shall make the same without delay, and if such commissioner is satisfied that such disease or sickness exists, and is caused by waters of the canal escaping or discharged therefrom, he shall so report to the superintendent of public works, without unnecessary delay, who shall forthwith abate the cause of such disease or sickness.

SEC. 14. Inspection of State institutions by State commissioner of health.—The State commissioner of health shall make from time to time an examination and inspection of the sanitary conditions of all State institutions and transmit copies of his report and recommendations thereon to the president of the board or other authority in charge of such institution and to the division of standards and purchase in the executive department. It shall be the duty of the superintendents of said institutions to immediately report an outbreak of a contagious or infectious disease to the State commissioner of health, and upon receipt of such report the State commissioner of health shall advise the superintendent of said institution as to the best means to effectually control said disease.

SEC. 36. Relief of indigent Indians in case of epidemic.—Whenever an epidemic of a contagious or infectious disease shall prevail among the Indians of any nation, tribe, or band in this State, the overseer of the poor of any town in which the reservation of such nation, tribe, or band is wholly or partly situated may in accordance with rules and regulations adopted by the State commissioner of health cause needed medical attendance, provisions, and maintenance to be furnished to any indigent Indian residing in the town, who, or a member of whose family, is afflicted with such disease, while such disease shall continue; and the cost thereof after being audited as herein provided shall be a State charge. A verified statement of any expenses incurred under this section shall be transmitted by the overseer of the poor to the State commissioner of health. Such commissioner shall examine into the matter, and if satisfied that such expenses were properly and necessarily incurred in accordance with the rules and regulations of the State commissioner of health shall approve the same, and the amount thereof, after audit by the comptroller, shall be paid from the State treasury on the warrant of the comptroller to such overseer of the poor.

of the poor.

Sec. 291. Powers and duties; rules and regulations.—The State commissioner of health shall ascertain what constitute the best tests for determining whether life is extinct, and shall prescribe the using of such tests before embalming as he may deem necessary; and all persons thereafter embalming the dead shall apply such tests prescribed before injecting any fluid into any body. The commissioner or such supervisor may issue subpænas and administer oaths to witnesses and take testimony concerning matters within the jurisdiction of the department. The commissioner shall, from time to time, make and adopt rules, regulations, and by-laws not inconsistent with law, whereby the performance of the duties of such supervisor and the transaction of the business

and the practice of embalming and undertaking shall be regulated and performed. A certified copy of any of said rules and regulations, attested as true and correct by the commissioner, shall be presumptive evidence of the regular making, adoption, and approval thereof. The commissioner may investigate all alleged violations of the statutes relating to embalming and undertaking, and of all rules and regulations adopted as provided in this section. The commissioner may revoke or suspend any license of an undertaker or embalmer upon proof that the same was procured by fraud or that the holder thereof has been convicted of a felony or has violated any of the provisions of the public health law, the general rules and regulations promulgated by the State commissioner of health, the sanitary code established by the public health council of the State of New York, or of any statute relating to undertaking or embalming or v.tal statistics which now is or may be enacted, promulgated, or established. The commissioner may also revoke or suspend such license upon proof that the holder thereof is incompetent to engage in the business of undertaking or embalming or has been guilty of misconduct in the conduct of such business. The action of the commissioner in revoking or suspending such license shall be reviewable by the court by certiorari.

SEC. 296. Reciprocal licenses; license not assignable.—Any holder of a license issued by State authority in any other State maintaining a system and standard of examination for licenses to engage in the business of undertaking or of the practice of embalming which in the judgment of the State commissioner of health shall be substantially equivalent to those required in this State for the issue of licenses therefor may obtain a license from the State department of health under the provisions of this article without examination, in the discretion of the State commissioner of health, upon payment of the application and license fees provided for herein. A copy of any license issued by said commissioner or of any rules, regulations, application, or other records or files of said department duly certified as correct by the State commissioner of health shall be entitled to be admitted in evidence in any of the courts of this State, and shall be presumptive evidence as to the facts therein contained. Every person licensed pursuant to the provisions of this article shall register that fact in the office of the board of health of the city, town, or place in which it is proposed to carry on sad business, and shall display such license in a conspicuous place in the office or place of business of such licensee. No license granted or issued by said commissioner shall be assignable, and every such license shall specify by name the person to whom it shall be issued, and not more than one person shall practice embalming under one license. This section shall not apply to any personal representative of any deceased undertaker to whom a license shall have been issued under this article who engages in the business of undertaking and embalming with a person duly authorized to practice the same under the provisions of th's article.

ARTICLE 18. STATE INSTITUTE FOR THE STUDY OF MALIGNANT DISEASES.

SEC 344. Institute continued.—The State institute for the study of malignant diseases is continued under the management and control of the department of health.

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Sec. 345. Board of visitors.—There shall continue to be a board of visitors of such institute consisting of the commissioner of health, and six members, who shall be appointed by and may be removed at the pleasure of the governor. The members of such board shall serve without compensation. The board of trustees of such institute shall hereafter be and be known as the board of visitors thereof. The present trustees of such institute shall constitute the board of visitors thereof and shall hold office until their successors are appointed and have qualified. Such board of visitors, from time to time, shall visit and inspect such institute. The board shall meet quarterly, and shall hold an annual meeting in November to consider the affairs of the institute and to prepare, for transmission to the commissioner of health, its report of the work of the institute for the preceding year. The board of visitors may meet at any time on call of the chairman, and shall be allowed their necessary traveling expenses in attending the fixed meeting or any special meetings. At least two of the members of the board of visitors shall be residents of the city of Buffalo or vicinity and one of them shall be a member of the medical faculty or of the council of the University of Buffalo.

Sec. 346. Investigations and treatment.—The institute shall conduct investigations of the cause, morfality rate, treatment, prevention, and cure of cancer

and allied diseases. There may be received free of charge in its hospital for study, experimental or other treatment, cases of cancer and allied diseases. The commissioner of health shall publish from time to time the result of its investigations for the benefit of humanity, and he shall from time to time collate its publications in a scientific report for distribution to scientific bodies and to medical scientists and qualified members of the medical profession. The direction of research work in whole or in part toward malignant diseases other than cancer shall not be a violation of the conditions of the grants made pursuant to the provisions of chapter 128 of the laws of 1911.

Sec. 347. Administration of gifts and trust.—The commissioner of health as the successor of the board of trustees of such institute shall execute and administer any gift, transfer, or trust heretofore made to or for the benefit of such institute and may receive gifts, legacies, and bequests, and use the same for

the advancement of the objects and purposes of the institute.

Sec. 348. Director.—There shall be a director of the institute, who shall be appointed by the commissioner of health with the approval of the board of visitors. In case of disagreement, such director shall be appointed by the governor. The director shall be a trained scientist and shall be in the competitive class of the civil service. The director shall be the executive officer of such institute and be in immediate charge of its work, subject to the supervision and control of the commissioner of health. He shall appoint and remove all members of the staff and all other employees of the institute, subject to the approval of the commissioner of health. He shall annually in the month of December report to the commissioner of health as to his proceedings and the affairs of the institute for the calendar year ending with the preceding 31st day of October. There may be furnished at cost to any member of the staff radium emanation, when not required for research purposes of the institution, for the treatment of private patients, under rules to be prescribed by the commissioner.

SEC. 19. Article 19 of the public health law, as added by chapter 641 of the

laws of 1923, as amended, is hereby repealed.

SEC. 20. The organization of the existing State department of health is continued as the organization of the department of health, except as provided by this act and as may be changed pursuant to law.

[Section 21 amends section 340 (as amended by ch. 349, laws, 1926) of chapter

78, consolidated laws, to read as follows:]

SEC. 340. Department of health.—There shall be in the State government a department of health.

Sec. 22. Sections 342, 343, 344, 345, and 347 of such chapter, as added by chapter 349 of the laws of 1926, are hereby repealed.

Local Health Districts—Continuance, Consolidation, or Abolition. Boards of Health of Certain General Health Districts—Conferring Upon, of Powers and Duties of Boards of Managers of County Laboratory and County Tuberculosis Hospital Authorized. (Ch. 283, Act March 24, 1927)

[This act amends subdivision 8 of and adds subdivision 16 to section 20b (as amended by ch. 636, 10 laws, 1923) of chapter 45, consolidated laws, to read

as follows:1

8. Except as hereinafter provided, local health districts now existing within the area of any such general health district, shall continue to exist as subdivisions of the general health district, and local boards of health within such general health districts shall continue to exist and to retain their powers and duties subject to the rulings and ordinances of the district health board, and may continue to appoint local health officers for such local health districts as provided by law, subject, however, to any local health district being consolidated with an adjoining health district within the general health district fany county. The board of supervisors shall have power within any general health district to abolish any town health district, any consolidated health district consisting wholly of towns, and with the consent of the board of health thereof, any consolidated health district which includes a village. Whenever any such town, village, or consolidated district shall have been abolished, the board of health thereof shall cease to exist as a board of health, and the

Supplement 65 to Public Health Reports, p. 133.
 Supplement 49 to Public Health Reports, p. 249.

health officer thereof shall serve as deputy to the general district health officer for the balance of the term of office for which he was appointed as health officer of the district so abolished, and his salary as deputy to the general the board of health thereof shall cease to exist as a board of health, and the health district, and such salary shall not be less than that which he received as health officer of the town, village, or consolidated health district thus abolished. Such health officer shall be eligible for appointment as deputy to the general district health officer, provided he possesses the qualifications prescribed

by the public health council.

16. The board of supervisors of any county in which a general health district has been created, the boundaries of which are coterminous with those of the county, shall have power to abolish the board of managers of the county laboratory of such county, established and operated under the provisions of sections 200 to 20f, both inclusive, of the public health law, and to confer the powers and duties theretofore possessed by such board of managers of such county laboratory upon the board of health of such general health district. The board of supervisors of any such county may, with the approval of the State commissioner of health, abolish the board of managers of the county tuberculosis hospital established and operated in such county under the provisions of sections 45 to 49 e, both inclusive, of the county law, and to confer the powers and duties theretofore possessed by such board of managers of such county tuberculosis hospital upon the board of health of such general health district.

Public Health Work-State Aid to Counties for. (Ch. 195, Act March 19, 1927)

[This act amends section 19 (as amended by ch. 278," laws, 1924) of chapter

45, consolidated laws, to read as follows:]

SEC. 19. State aid to counties engaging in public-health work.—Whenever the board of supervisors of any county shall appropriate and expend moneys for the construction, establishment, or maintenance by such county of a county, community, or other public hospital, clinic, dispensary, or similar institution, or for the purpose of defraying the expenses of such county in any public enterprise or activity for the improvement of the public health, or any public-health work undertaken by such county, within limits to be prescribed by the State commissioner of health, such county shall receive State aid in the manner and subject to the conditions prescribed in this article except that a grant of State aid covering projects, enterprises, or activities established or carried on or to be established or carried on in a city having a population of 50,000 or more shall not be made to a county under this article. The legislature from time to time shall make appropriations for the purpose of rendering such State aid. The State commissioner of health is hereby empowered to prescribe limitations upon the aid to be granted under applications now pending or hereafter made.

Health—Power of Villages to Take and Hold Property for Purposes of— Powers of Village Boards of Trustees Relating to. Village Boards of Health-Establishment, Powers, and Duties. Sewerage Systems-Construction, Extension, etc., of, in Villages—Contracts by Villages with Other Municipalities or Sewer Districts Concerning. Sewer Districts in Villages—Establishment—Construction of Sewers in. (Ch. 650, Act April 4, 1927)

[This act, among other things, repeals sections 90 and 278 of chapter 64, consolidated laws; adds sections 1-a, 90, 261-a, and 261-b to such chapter 64; and amends sections 43 (as amended by chap. 27, laws of 1927), 85, 89 (as amended by chap. 718, laws of 1926), 260 (as amended by chap. 510, laws of 1921), 261, 263, 276 (as amended by chap. 25 laws of 1915), and 326 (as amended by chap. 342, laws of 1924) of such chapter 64. Such added and amended sections read as follows:]

SEC. 1-a. * * * The village shall have power:

<sup>Supplement 51 to Public Health Reports, p. 224.
Supplement 65 to Public Health Reports, p. 158.
Supplement 45 to Public Health Reports, p. 399.
Reprint 338 from Public Health Reports, p. 400.
Supplement 51 to Public Health Reports, p. 235.</sup>

2. To take by gift, grant, bequest, and devise and hold real and personal estate absolutely or in trust for any public use including that of * * * health, * * * upon such terms or conditions as may be prescribed by the grantor or donor and accepted by said corporation and to provide for the proper administration of the same.

SEC. 43. * * *

Excepting in such villages as are a part of a consolidated health district there shall be a board of health in each village, consisting of the board of trustees of such village. * * *

SEC. 85. Board of health.—The board of health of each village shall have all the powers and be subject to all the duties provided by the public health law and all powers of boards of health are hereby directly conferred upon the board of trustees of every village and may be exercised by such board at any regular or special meeting.

Sec. 89. General powers of the board of trustees.-The board of trustees of

a village: * * *

6. May lay out, establish and construct, maintain, continue, operate, alter, extend, and discontinue sewerage and drainage systems and water-supply systems; and may lay out or continue to lay out, establish, construct, contribute to, maintain, manage, and operate * * * hospitals * * * and upon the discontinuance thereof may sell and convey the same subject to the limitations and restrictions provided in this chapter.

7. * * * may regulate the use of buildings for the purpose of protecting life or property from * * * health hazards; may compel the owners of a building or structure which has been damaged by fire or other hazard to make

same safe.

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- 23. Dumping grounds.—May, whenever in its judgment the interest of the village requires it, purchase or acquire by condemnation proceedings lands for the establishment of a public dump or dumping ground or disposal plant within or without any such village and prohibit the use of any other lands within the village for such purpose. But no land shall be acquired without the corporate limits of the village for such purpose without the consent of the board of trustees, town board, common council, or other similar legislative body of the village, town, or city in which such land is situate.
- 25. Disposition of garbage and ashes.—(a) May provide for the removal from the buildings in said village and for the disposition of swill, garbage, ashes, and rubbish of said buildings, or for the removal and disposition of the swill and garbage alone, or the ashes alone, either directly through the employees of said village or by contracting with another person, other persons, a corporation, or with the town in which such village is located. Such contract may be made for one or more years. (b) May establish or construct a plant for the disposal of sewage, swill, garbage, rubbish and ashes, or any of them, and may purchase or lease real property therefor and vehicles or other appurtenances to be used in connection therewith. Upon the acquisition of such plant, may, without the adoption of any proposition as to the amount to be expended therefor in any one year, operate the same and collect and dispose of said village or by contracting with other persons or with the town in which such village is located for a period of one or more years.
- 33. Removal of fire and health hazards and weeds.—May require the owners of land to cut, trim, or remove brush, grass, rubbish, or weeds and upon default may cause such grass, brush, rubbish, weeds, or other materials to be cut, trimmed, or removed and assess the expense thereof upon the land whereon the same are found; if the owner of said lands is a nonresident a notice to so cut, trim, or remove such brush, grass, rubbish, weeds, or other materials mailed to such owner addressed to his last known address shall be sufficient service thereof.
- 42. * * * may require the owners or occupants of lots to keep the grass and grass plots within the village cut and trimmed and require such owner or occupant to cut all noxious weeds, long grass, and other rank growths; * * *

44. * * may regulate and prevent the deposit of ashes, garbage, rub-

bish, and filth upon the streets or public places; * *

45. * * * may require persons and corporations having or controlling mains, pipes, water, laterals, drains, and sewer laterals in streets to keep the same in proper condition and repair; may regulate and provide for the care and maintenance of drains, laterals, water pipes, and sewers in streets.

- 50. * * * may prohibit the use of such buildings [used for the purpose of public assemblage] for such assemblages except in complaince with the requirements of the board of trustees for the * * * health of persons who may use the same; may raze and demolish any buildings or erections which, by reason either of fire, faulty construction, or other cause, may be dangerous to human health or life, and assess the cost thereof upon the owner of the property.
- 52. Subject to the provisions of existing law, may provide for licensing and otherwise regulating * * * scavengers, * * * restaurants, eating places, soda fountains, and places where beverages are sold at retail, * * *; may regulate and license any other occupations or businesses for the purpose of preserving and caring for the safety, health, comfort, and general welfare of the inhabitants of the village or visitors thereto.
- 55. May regulate and prohibit the construction and use of private sewers, drains, sinks, vaults, and privies; may compel the owner or occupant upon which is situated [sic] any objectionable stable, privy, sewer, drain, cistern, vault, or any unwholesome or nauseous condition to cleanse, remove, or abate the same; may compel the owner or occupant of any building or structure to connect with the sewer system of such village, and upon failure to comply with such order or regulation may cause the same to be done and assess the cost thereof upon the land upon which the improvement was made.

56. May regulate and license the sale of milk in the village and provide for the inspection thereof and of the dairies where the same is produced; may prohibit the sale of milk from unlicensed dairies and by unlicensed dealers and

peddlers.

57. May regulate and license and control the sale of meats and may provide for the inspection thereof; may prohibit the sale of any diseased, tainted, or bad meat, poultry, or fish.

59. May take all measures, do all acts, and enact any ordinances not inconsistent with existing law which shall be deemed expedient or desirable for the good government of the village, its management and business, the protection of * * * health of its inhabitants, * * * the preservation of public health, * * and may generally exercise all the powers granted to the village.

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SEC. 90. Village ordinances.—The board of trustees shall have power to enact, amend, and repeal ordinances not inconsistent with existing law for * * * the preservation of * * * health * * * of its inhabitants * * * whether such authority is specifically granted by this chapter or other law

or necessarily implied therefrom.

Sec. 260. Establishment of sewerage system.—The board of trustees of any village may, upon its own motion, or shall upon the petition of 25 owners of real property within the village, according to the last completed village assessment roll, cause a map and plan to be prepared for a complete sewerage system for the village. The board of trustees may establish, extend, and maintain a sewerage system therein in accordance with the provisions of this chapter. Before taking any proceeding for the construction of a sewerage system or any part thereof the board, at the expense of the village, shall, unless such map and plan have been heretofore officially approved by the State commissioner of health and copies filed in the State department of health and in the office of the village clerk, cause a map and plan of a permanent sewerage system for such village to be made, with plans and specifications for sewage treatment or disposal works. It may also include any existing sewer in the village, which on examination by the village engineer shall be found feas'ble and proper to incorporate or include in the proposed system. Such map and

plan shall be comprehensive and shall cover all portions of the village, but the village may construct the whole of the said system or may temporarily omit any portion thereof until such portions may be necessary, subject to the approval of such omission by the State commissioner of health as hereinafter provided. Such map and plan shall be submitted to the State engineer for his approval, and if approved shall be filed in the office of the State commissioner of health. A copy thereof shall also be filed in the office of the village clerk. The map and plan may be amended, with the approval of the State engineer, and when so amended and approved shall be filed in the same offices as the original. No work of any kind shall be done on or for the construction, extension, reconstruction, removal or modification of any system of sewerage or of any part thereof until a map and plan covering the entire system shall first have been duly approved and filed as above provided, and in the execution of the construction, extension, reconstruction, removal, or modification of any system of sewerage or of any part thereof, no deviations from the plans as finally approved and filed shall be made until plans or descriptions adequately showing such deviations are first approved and filed as above provided. Whenever the board of trustees of the village shall deem it desirable to the interests of the village that a portion of the permanent general system of sewers and sewage disposal thereof may be temporarily omitted or deferred, it shall certify that fact in writing to the State commissioner of health, designating by a map or otherwise the portions of the system to be omitted, or the portion not to be omitted, and on receipt of the same the State commissioner of health may approve of such temporary omission and shall certify his determination to the board of trustees of the village. The term "sewerage system" as used in this chapter shall be understood to mean a complete system for the removal, treatment, or disposal of sewage or waste water.

Sec. 261. Construction of a sewerage system at expense of village.—The board of trustees of any village may, by resolution adopted at a regular meeting, determine upon the construction of the whole or any part of the sewerage system at the expense of the village, which action shall be subject to a permissive referendum as hereinbefore defined. The resolution shall describe the portion of the system proposed to be so constructed, and shall also contain a

statement of the estimated maximum cost thereof.

Sec. 261-a. A petition to establish sewerage system.—The board of trustees shall upon petition of 25 owners of real property within the village, whose names appear upon the last approved assessment roll, cause maps and plans to be made for a comprehensive sewerage system for the village for the purpose of creating a sewerage system by petition providing that suitable maps and plans are not available. Such maps and plans shall be submitted to the State engineer for approval and all other proceedings taken as provided in section 260 of this chapter. With these plans as a basis, persons owning real property in the village to the amount of more than one-half in value of the taxable real property within the village as appears by the last preceding assessment roll may petition the board of trustees of such village for the establishment of a sewerage system within such village. The petition must state the maximum amount proposed to be expended in the construction of such sewerage system and contain the statement, "The cost of construction of such sewerage system shall be assessed from year to year upon the lands within the village in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom." Each petitioner shall state opposite his name the assessed valuation of the real property owned by him in such village according to the last preceding completed assessment roll. The execution of the petition by a property owner shall be acknowledged by him, or it may be proven by the oath of a witness, who shall swear that he knows the property owner and that the petition was signed by the property owner in the presence of the witness. The petition may be in the form of separate sheets, each sheet containing at the top thereof the complete wording of the petition, and when bound together and offered for filing, these shall be deemed to constitute one petition. On receipt of such petition the board of trustees shall grant a public hearing before taking any action on the petition, at which time full opportunity to be heard shall be granted to all officials, residents, voters, taxpayers, property owners, or other persons or corporations in any way affected by the granting, modification, or denial of the petition. Notice of the time, place, and purpose of such hearing, containing a description of the extent of the proposed sewerage system, shall be given by such board by posting such notice in four of the most public places within the

village at least 21 days prior thereto, and by publishing a notice in the official newspaper once in each of the three weeks immediately preceding the week in which the hearing is to be held. After a hearing held in accordance with this notice and upon the evidence given thereat the board of trustees shall determine whether it is in the public interest to grant the petition, modify it, or deny the relief sought. A signed or certified copy of the determination of the board of trustees shall be duly recorded in the office of the county clerk of the county in which such village is located, and when so recorded shall be presumptive evidence of the regularity of the creation of the sewerage system by said board. During a period of 30 days following the date of filing of the determination of the board of trustees with the county clerk said determination shall be subject to review by certiorari. An application for such order of certiorari may be made by any interested person who shall, however, give an undertaking approve by the supreme court, or a justice thereof, as to form, amount and sufficiency of sureties, that in event of failure to modify said final determination or order he or they will pay to the board of trustees all such costs and expenses as are incurred by it or him on account of the said certiorari proceedings as shall be determined by the court. In the event that upon such review there shall be any modification by the court of said final determination or order the court shall direct the modification thereof by order which shall be final and conclusive and such board of trustees shall cause such order to be recorded in the same place and manner as was the determination or order appealed from. At the expiration of the 30-day period during which the board's action is subject to review by certiorari, the board of trustees may, in conformity with its final determination or the court order, as the case may be, construct such sewerage system in accordance with the approved plans and may issue bonds of the village to pay the cost thereof. But no such system shall be constructed if the expense thereof shall exceed the amount set forth in the petition, unless a further petition be presented to such board in the same form and executed in the same manner as herein provided, requesting that such system be constructed for such amount. The cost of constructing such system shall be assessed from year to year by the board of trustees upon the lands within the village in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom. This assessment shall be prepared at the same time and in the same manner as the village assessment roll and be subject to the same appeal. The cost of maintenance of the system shall be a village charge and may be met by establishing a service charge for all sewer connections or as the board of trustees may determine.

Sec. 261-b. Establishment or enlargement of sewage-treatment plant.—The board of trustees of any village may establish a sewage-treatment plant or enlarge or remodel an existing sewage-treatment plant at the expense of the village by resolution adopted at a regular meeting, subject to a permissive referendum as hereinbefore defined. The resolution shall state the max mum amount to be expended for such work. The board of trustees may issue bonds of the village to pay the cost thereof to an amount not exceeding the maximum cost stated in the resolution.

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Sec. 263. Construction of sewerage system at joint expense of village and of property benefited.—The board of trustees of any village may, by resolution adopted at a regular meeting, determine upon the construction of the whole or any part of the sewerage system at the joint expense of the village and of the property benefited, which action shall be subject to a permissive referendum as hereinbefore defined. The resolution shall describe the portion of the system proposed to be so constructed, shall contain a statement of the estimated maximum cost thereof, and also of the proportion of the expense to be assessed upon the village at large, and the aggregate proportion to be assessed upon the property benefited. If the resolution be adopted, such aggregate proportion

shall be equitably adjusted with reference to the benefits to be derived therefrom.

Sec. 276. Contracts with other municipalities, sewer districts, etc.—The

board of sewer commissioners may contract for the connection of the sewers thereof with the sewers of another village, or of a town, or city, or of a sewer district established under the provisions of article 11 of the town law; or jointly with such other village or a town or city or sewer district established as aforesaid may construct, maintain, operate, or use sewers, outlets, or disposal works; or may construct [contract?] with any such other village, or town, or city, or sewer district established as aforesaid for the right to con-

struct and maintain through any such other village, town, or city, or sewer district established as aforesaid an outlet sewer, including the right to acquire real property for such sewer outlet, which thereupon may be acquired either at private sale or by condemnation as authorized by this act. No sewer outlet or disposal works of any other village, town, or sewer district thereof, or city, shall be constructed in any village without the approval of the board of sewer commissioners of the village in which such sewer outlet or disposal works shall be constructed, and no such contract shall be made unless a resolution therefor be adopted by the trustees of the village constructing the sewer outlet or disposal works, stating the maximum expense.

Sec. 326. * * * *

(2) In case a system of sewers to serve the said district shall have been authorized as provided in the town law and maps and plans therefor shall have been approved by the State engineer the board of trustees may construct and complete the sewers so authorized and may make extensions thereof and may modify and change the plans thereof by resolution at any regular or at any special meeting called for the purpose: Provided, Notice that the board of trustees will act upon the question of authorizing the construction of specified portions of such sewer system, or specified extension thereof, or upon specified modifications thereof, at a time and place to be stated therein, shall have been posted in at least four public places in the said sewer district and shall have been published in the official paper, or if there be no official paper in such newspaper published in the county as the board of trustees may select, at least 21 days before such meeting.

(3) In case additional construction under the provisions of the preceding subdivision hereof shall be so authorized, the board of trustees shall estimate the cost thereof and may issue the bonds or other obligations of the village to the amount thereof, which bonds or other obligations shall be a village charge. Said bonds or other obligations shall be payable within 40 years in annual installments, commencing not more than 5 years from the date thereof, shall bear interest at a rate not exceeding 5 per cent per annum, and shall be sold on public notice in the manner prescribed by section 129 of the village law. Any moneys advanced from the general fund of such village for the payment of the principal and interest of said bonds or other obligations shall be

reimbursed from the assessments hereinafter provided.

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(4) In case the board of trustees shall authorize the construction of any such extension or extensions to the sewer system which have not been approved by the State engineer, or in case the board of trustees shall modify or change the plans for the construction and completion of the said sewer system or any portion thereof or of any such extensions which have theretofore been approved by the State engineer, maps and plans of such extension or extensions and of the portions of the system so modified or changed, prepared by a competent engineer under the authority and direction of the board of trustees, shall be approved by the State engineer as required by law before the same shall be constructed.

(14) (a) In every such village the board of trustees on a petition signed and acknowledged by the owners of more than 50 per cent in value of the taxable real property in any proposed sewer district, as shown by the last completed village assessment roll, and after a public hearing thereon, may, by resolution, establish one or more sewer districts in such village. Such petition shall describe the boundaries of the proposed sewer district and each subscriber thereto shall set opposite his name the assessed value of the real property owned by him therein, as shown on the said last-completed assessment roll, and such petition shall contain a statement of the max mum amount proposed to be expended in the construction of such sewerage system and shall also have a statement conspicuously printed thereon as follows: "The cost of construction and maintenance of such sewer system shall be assessed from year to year by the board of trustees upon the land within the sewer district in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom"; and such pet'tion shall have annexed thereto a map of such proposed sewer district and a plan for a comprehensive system of sanitary sewers designed, when completed, to serve the entire district, together with plans and specifications for sewage treatment or disposal works. The signature of a property owner shall be acknowledged by him or it may be proved by the oath of a witness, who shall swear that he knows the property

owners and that the petition was signed by the property owners in the presence of the witness. The petition may be in the form of separate sheets, each sheet containing at the top thereof the complete wording of the petition, and when bound together and offered for filing, these shall be deemed to constitute one petition. On receipt of such petition the board of trustees shall grant a public hearing before taking any action on the petition, at which t.me full opportunity to be heard shall be granted to all officials, residents, voters, taxpayers, property owners, or other persons or corporations in any way affected by the granting, modification, or denial of the petition. Notice of the time, place, and purpose of such hearing, containing a description of the extent of the proposed sewer system, shall be given by such board by posting such notice in four of the most public places within the village at least 21 days prior thereto and by publishing a notice in the official newspaper once in each of the three weeks immediately preceding the week in which the hearing is to be held. After a hearing held in accordance with this notice and upon the evidence given thereat the board of trustees shall determine whether it is in the public interest to grant the petition, modify it, or deny the relief sought. A signed or certified copy of the determination of the board of trustees shall be duly recorded in the office of the county clerk of the county in which such village is located and when so recorded shall be presumptive evidence of the regularity of the creation of the sewerage system by said board. Said action shall be subject to review by certiorari upon application made within 30 days following date of filing with county clerk, which application shall be accompanied by an undertaking approved by the supreme court or a justice thereof, providing for reimbursing the expenses of the board of trustees in the event their determination is not modified. At the expiration of the period allowed for certiorari proceedings and subject to the reviewing court's order, if any, the board of trustees shall proceed to construct such sewerage system, but before any part of the sewerage system is constructed in any such sewer district the maps and plans therefor shall be approved by the State engineer. In passing upon said plans due consideration shall be given to the adaptability of the proposed sewerage system for the district to possible future enlargements and to inclusion in a general sewerage system to care for the village as a whole or parts of the village forming natural drainage areas. The cost of preparing such maps and plans in the first instance shall be borne by the petitioners, but the reasonable amount thereof as audited and allowed by the beard of trustees shall be a charge against the said sewer district, if the same is established.

Milk and Cream—Production, Handling, and Sale. (Reg. Dept. of H., May 6 and December 14, 1927)

[CHAPTER III. MILK AND CREAM]

REGULATION 1. Definitions.—When used in this chapter the term "milk" means cow's milk, either unpasteurized or pasteurized, but in its original liquid state, which is to be sold or offered for sale for human consumption; the term "cream" means that portion of the milk containing not less than 18 per cent of milk fat which is obtained from cow's milk and which is to be sold or offered for sale in its original liquid state for human consumption; the term "health officer" means the health officer or health commissioner of the municipality in which milk or cream is to be sold or offered for sale; the term "person" means a corporation, association, firm, or individual; the term "bottling plant" means any place where milk or cream is bottled. The terms "standard agar plate method" and "standard direct microscopic method" mean the methods adopted as standard by the State commissioner of health.

SECTION A-PERMITS

RECULATION 2. Permit required for sale of milk or cream.—No person shall sell or offer for sale milk or cream, except that which is to be consumed upon the premises where sold or dispensed, without first having obtained a permit from the health officer. Permits shall be granted only to those who conform to the requirements of this code, except that the health officer may in his discretion exempt a person selling milk from not more than one cow from such requirements of this chapter as he may deem, in each instance, to be

impracticable to enforce and not necessary for the protection of public health. Such permits shall expire annually on the 31st day of December, unless another date is designated by the local board of health, and shall be renewable on or before such date in each year, and may be suspended or revoked at any time by the State commissioner of health or the local health officer after a hearing on due notice for misrepresentation as to the grade or quality of milk sold or offered for sale, or for willful or repeated violation of any of the

provisions of this chapter.

REGULATION 3. Application for permit required.—Every person seeking to obtain a permit to sell milk or cream shall make a written application therefor to the health officer on a form prescribed by the State commissioner of health. The applicant shall furnish the health officer or his authorized representative, upon demand, with the name of each producer, distributor, bottler, pasteurizer, or shipper from whom the applicant receives or expects to receive milk or cream, together with the approximate amount to be furnished by each. If a permit be granted he shall thereafter maintain at all times, accessible to the health officer or his representative, a complete record including the names and addresses of all persons from whom he at any time, directly or indirectly, obtains milk or cream, with the approximate amount obtained from each and if obtained for a temporary period the dates within which it was so obtained. Upon any change in the source of such supply, unless exempted in writing from this requirement by the health officer, he shall give notice thereof to the health officer within 24 hours.

The health officer may, in his discretion, with due notice, require any or all persons engaged in the sale of milk or cream to secure his authorization or that of his authorized representative before offering for sale or selling any milk or cream from sources not previously approved by him, and he may require notice in advance of any changes in sources of supply.

The health officer of a town may issue a provisional permit for the sale of milk or cream, notwithstanding failure or inability on the part of the

applicant to comply with certain requirements, when—

(a) In his best judgment compliance with such requirements is impracticable, for good and sufficient reasons; and

(b) Such milk is to be sold only in an isolated rural community, not an incorporated village; and

(c) There is no person holding a regularly issued permit for the health officer from whom it is practicable for consumers to obtain milk; and

(d) It is his best judgment that the sale of milk under such provisional permit will not endanger the public health and that refusal to issue such a provisional permit would deprive a considerable number of persons of a supply of milk necessary for domestic purposes; and

(e) The application for such permit has been indorsed in writing by the

district State health officer after investigation.

Such a provisional permit shall be issued only upon a form provided for the purpose by the State department of health and may be revoked at any time by the health officer if in his judgment its continuation is no longer

necessary or desirable.

REGULATION 4. Inspection to be permitted.—Every person holding a permit for the sale of milk or cream shall at any time allow the health officer or his representative or any authorized representative of the State commission of health to inspect the herd, stable, milk plant, method of production, pasteurization, bottling, and handling of milk or cream and to take such samples of milk or cream as he may desire for the purpose of carrying out the provisions of this chapter.

REGULATION 5. Inspection, bacterial counts and physical examination required.—The health officer before issuing a permit to sell milk or cream shall cause an inspection to be made of every dairy farm where such milk or cream is produced and of every plant in which it is to be received, bottled, pasteurized, or otherwise handled, the results to be recorded upon a form or forms prescribed by the State commissioner of health; he shall cause to be made by a veterinarian approved by the State department of agriculture and markets a physical examination of all cows producing milk to be sold or offered for sale as milk under such permit or from which cream is obtained to be so sold or offered for sale. He shall also cause to be taken samples of such milk and cream and shall cause bacterial counts to be made for the purpose of grading and determining whether the condition of such milk and cream is such as to be in compliance with the requirements of this chapter. A bacterial count to be used for the purpose of grading shall consist of the average of successive counts made by the standard agar plate method upon not less than three samples of milk or cream, each sample to be taken on a different day. Such bacterial counts, to be so used, shall be made only in laboratories approved for such purpose by the State commissioner of health. Thereafter at intervals of not more than three months samples shall be taken and bacterial counts made. The standard direct microscopic method may be substituted for the standard agar plate method in the grading of milk which has not been pasteurized.

The health officer may, however, in his discretion, accept and use in connection with the issuance of such a permit the reports of the health officer of another municipality with reference to inspections, bacterial counts and physical examinations of dairy cattle, when furnished with official records of the

results thereof.

The health officer, when convinced that an applicant is complying or will comply with the requirements of this chapter, may in his discretion issue to such applicant a temporary permit to sell milk or cream pending the completion of the inspections and the examinations of milk samples and of dairy cattle herein prescribed, but such a temporary permit shall not continue in effect more than 30 days.

REGULATION 6. Stores, hotels, restaurants, soda fountains, boarding houses, and other places to furnish names of milk dealers.—All proprietors or other persons in charge of stores, hotels, restaurants, soda fountains, boarding houses, and other places where milk or cream is sold or dispensed to be consumed on the premises shall, upon demand, furnish the health officer or his representative with the names and business addresses of all persons from whom they receive milk or cream.

No proprietor or other person in charge of any store, hotel, restaurant, boarding house, or other place where milk or cream is so sold or dispensed shall offer for sale or furnish any milk or cream other than that supplied by a person having a permit to sell milk or cream issued by the health officer.

SECTION B-PRODUCTION

REGULATION 7. Sale of certain milk prohibited.—No milk shall be sold or offered for sale other than whole milk which is fresh, clean, and obtained from healthy cows, excluding that obtained within 15 days before and 5 days after calving or such longer period as may be necessary to render the milk

practically colostrum free.

REGULATION 8. Cow stables and yards to be kept in sanitary condition.—Stables in which milk-producing cows are housed shall be kept clean. The floors and cow beds shall be sound and tight. The gutter shall be water-tight and properly drained. The ceiling over the cow stalls shall be dust proof if there is a loft above. The walls and ceiling shall be kept free from dust and cobwebs. Windows shall be provided, kept clean and so arranged as to insure proper distribution of light. Adequate ventilation shall be maintained. Manure shall be removed at least once daily and so disposed of that the cows will not have access thereto. The manure shall not be removed from the stable during or just previous to milking. Liquid matter shall at no time be allowed to accumulate under or around the stable. The cow yard shall be properly graded and drained. If a privy is provided it shall be of sanitary construction and screened against flies.

REGULATION 9. Cows and hands of milker to be clean.—All cows from which milk or cream for sale is obtained shall be kept free at all times from dry, caked manure and the flanks, udders, and teats of such cows shall be clean at time of milking. The hands of milkers shall be clean and dry at the time

of milking.

REGULATION 10. Construction of utensils.—All pails, cans, coolers, or other utensils used for the collection, treatment, or storage of milk or cream shall be made of smooth metal and otherwise so constructed as to be readily cleaned, shall have all seams with which milk or cream comes in contact soldered flush, and shall be free from pronounced dents and rust spots.

REGULATION 11. Suitable water supply to be provided.—An adequate water supply of a safe sanitary quality shall be provided for the washing and cleaning of bottles, cans, utensils, and apparatus used in the handling of milk or cream:

REGULATION 12. Containers and utensils to be cleaned and sterilized.—Adequate facilities for the cleansing and sterilization of all pails, cans, covers, strainers, coolers, bottles, and other utensils used in the handling, transportation, or storage of milk or cream shall be provided by producers and distributors. All such containers and utensils shall be thoroughly washed and cleaned after each use and shall be sterilized daily with live steam or hot water at a temperature of not less than 180° F., or by other method approved by the State commissioner of health. Washed and sterilized containers, if stored, shall be inverted until about to be filled and so protected as to prevent contamination.

All milking machines shall be thoroughly washed, cleansed, and sterilized after each use and shall be kept in a clean and sanitary condition when not in

use.

REGULATION 13. Milk house or milk room to be provided.—A properly constructed, lighted, and ventilated milk house or milk room shall be provided and used exclusively for the handling of milk. It shall not open directly into a stable or into any room used for domestic purposes and shall be maintained in

a clean condition and kept free from flies.

REGULATION 14. Care of milk.—The milk shall be removed from the stable as soon as the milking pail is filled and shall be immediately strained in the milk house or room. Milk to be labeled or designated as pasteurized grade A, raw grade A, or raw grade B, shall be cooled within one hour after milking to a temperature of 50° F. or less, except morning's milk which is to be delivered to a bottling or pasteurizing plant before 8 a. m. standard time, or between December 1 and April 1, before 9 a. m., and night's milk which is to be so delivered immediately. Milk to be labeled or designated as pasteurized grade B shall be cooled within one hour after milking to a temperature of 60° F. or less, except morning's milk which is to be delivered to a pasteurizing plant before 9 a. m., and night's milk which is to be so delivered immediately. The temperatures herein prescribed shall be maintained until delivery to the consumer, bottling or pasteurizing plant.

REGULATION 15. Tuberculin-tested cows.—Whenever milk is to be sold as from tuberculin-tested cows, all animals in the herd shall be given a tuberculin test annually except when, in an accredited county, a longer period is approved by the commissioner of agriculture and markets under the accredited herd plan, such test to be made by a veterinarian approved by the State department of agriculture and markets and to be conducted in accordance with the provisions of the agricultural laws of the State of New York. No animal shall be added to the herd at any time unless it has passed the tuberculin test, and the milk from any cow giving a positive reaction to such test shall be excluded from sale as milk from tuberculin-tested cows. Records of the tuberculin tests and physical examinations made upon each animal in the herd shall be kept on file by the producer and shall be at all times accessible to the health officer or his

authorized representative.

SECTION C-BOTTLING AND PASTEURIZING PLANTS

REGULATION 16. Buildings.—Rooms or buildings in which milk or cream is bottled or pasteurized shall be suitable for such purpose, well lighted and ventilated, and kept clean and free from flies. The floors shall be water-tight and impervious, well drained, and proper disposal of drainage provided.

REGULATION 17. Washing or sterilizing equipment to be provided.—All bottling and pasteurizing plants shall be provided with adequate steam or hot

water boiler for furnishing necessary washing and sterilizing facilities.

REGULATION 18. Refrigeration to be provided.—All bottling and pasteurizing plants shall be provided with adequate refrigeration, so arranged and controlled that all the milk or cream passing through the plant shall be cooled to a temperature of 50° F. or lower and maintained at such temperature until delivered to the distributor or consumer. Bottled milk, if stored in water, shall be so stored that the tops of the bottles will not be submerged.

REGULATION 19. Bottling and capping machines to be provided and used.—All bottling plants shall be provided with and use mechanical bottle fillers and cappers for the filling and capping of milk bottles. Caps shall be obtained in

sanitary tubes and kept therein until used.

REGULATION 20. Pasteurization defined.—All pasteurizing plants shall be so equipped and operated that the milk or cream after pasteurization shall conform to the requirements of this code, and no milk or cream shall be labeled

or designated as pasteurized unless every particle of such milk or cream has been subjected to a temperature of 143° F. or more for not less than 30 minutes in pasteurizing apparatus of a type approved by the State commissioner of health and under such sanitary conditions as may be prescribed by him, unless another process be authorized by the public health council after demonstration

of equal efficiency satisfactory to such council.

Each pasteurizing apparatus shall be equipped with an accurate indicating thermometer and temperature-recording device of a type approved by the State commissioner of health. Every pasteurizing plant in which milk or cream is heated to the pasteurizing temperature before being introduced into the holder shall be equipped with a suitable automatic temperature-controlling device which shall be so installed as to regulate effectively the temperature of the milk during the heating period.

After pasteurization the milk or cream shall immediately be cooled to a temperature of 50° F. or lower and placed in clean, sterilized containers which

shall immediately be capped or tightly covered.

No milk that has been pasteurized in one plant shall be transferred to another

plant or place to be bottled.

REGULATION 21. Treatment by chemicals or heat.—No milk or cream shall have added thereto any chemical or other substance and no milk to be sold

as unpasteurized shall be previously heated.

Regulation 22. Receptacles to be kept in sanitary condition—When to be condemned and seized.—Every can or other vessel used to contain milk or cream shall be kept constantly in a clean and sanitary condition. When emptied and before being returned by a bottling, pasteurizing, or shipping plant every such can or other vessel shall be effectively cleansed and sterilized. The local health officer or his representative shall condemn any such can or other vessel found by him to be in such condition that it can not by washing be rendered clean and sanitary. When so condemned such can or other vessel shall not be used again to contain milk or cream for sale. The local health officer or his representative may selze and hold as evidence any can or other vessel returned or otherwise used in violation of this regulation.

It shall be the duty of all persons to whom milk or cream is delivered to clean thoroughly the containers in which such milk or cream is delivered before returning such containers. No person shall use or cause or allow to be used any container used in the transportation of milk or cream for any purpose other than the holding of milk or cream, nor shall any person place therein, except for the purpose of cleansing, any article or substance other

than milk or cream.

SECTION D-GRADES

Regulation 23. Designations of milk.—No milk shall be sold or offered for sale unless it shall bear prominently one and only one of the following designations; Pasteurized grade A, certified, pasteurized grade B, raw grade A, raw grade B.

No false or misleading word, term, or design shall appear on any cap or tag

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containing such designation, or upon the container.

Pasteurized grade A: No milk shall be labeled or designated as pasteurized grade A unless it is so produced, handled, and cooled as to give before pasteurization a bacterial colony count of not more than 100,000 per cubic centimeter if pasteurized at the place of production or of 200,000 if shipped by rail to a pasteurizing plant, and unless it shall give at any time after pasteurization and previous to delivery a colony count of not more than 30,000 per cubic centimeter. The plant in which such milk is pasteurized shall have been inspected by an authorized representative of the State commissioner of health and approved in writing as to apparatus and efficiency.

All employees or other persons engaged in handling the milk during the process of pasteurization or after pasteurization shall, previous to employment and as often thereafter as the health officer shall require, submit such laboratory specimens of body discharges as the health officer, shall prescribe, such specimens to be examined in a laboratory approved for such examination by the State commissioner of health, for the purpose of determining freedom from

the germs of communicable disease.

Such milk shall be delivered to the consumer within 36 hours after pasteurization, in bottles filled and capped at the place of pasteurization, except that with the written permission of the health officer such milk in containers of

5 gallons or more, properly labeled as to grade and destination and with covers secured, may be delivered and sold to hospitals, institutions, camps, hotels, restaurants, and other public eating places, to be consumed on the premises but not to be dispensed in bottles, and except that, with the written permission of the health officer, such milk may be sold and delivered to customers in quantities of four quarts or less at the place where pasteurized or bottled, in containers provided by such customers.

The caps or tags on the containers shall be white and contain the term "pasceurized grade A" in large black type and the name and address of the dealer

also in black type.

Certified: No milk shall be labeled or designated as certified unless it conforms to the requirements of the American Association of Medical Milk Commissions, is produced under the supervision of a milk commission appointed by a medical society chartered by the Medical Society of the State of New York and registered with the names and addresses of its members, with the State department of health, and unless a copy of the certificate of the medical milk commission has been filed with the health officer.

The county medical milk commission shall report to the health officer at least once in each month the results of all bacterial counts, health examinations of milk handlers, tuberculin tests, and physical examinations of cows made

during the preceding month.

Failure on the part of a county medical milk commission or its employees to function in accordance with the requirements of the American Association of Medical Milk Commissions, as set forth in its last published Methods and Standards for the Production of Certified Milk or to comply with the requirements of this section shall be deemed sufficient ground for refusal by the health officer to issue a permit for the sale of certified milk based upon its certification.

Pasteurized grade B: No milk shall be labeled or designated as pasteurized grade B unless it is so produced, handled, and cooled as to give before pasteurization a bacterial colony count of not more than 300,000 per cubic centimeter if pasteurized at the place of production or of 750,000 if shipped by rail to a pasteurizing plant, and unless it shall give at any time after pasteurization and previous to delivery a colony count of not more than 50,000 per cubic centimeter.

Such milk shall be delivered to the consumer within 48 hours after pasteurization, in bottles filled and capped at the place of pasteurization, except that, with the written permission of the health officer such milk, in containers of 5 gallons or more, properly labeled as to grade and destination and with covers secured, may be delivered and sold to hospitals, institutions, camps, hotels, restaurants, and other public eating places to be consumed on the premises but not to be dispensed in bottles to the patrons of such places and except that, with the written permission of the health officer, such milk may be sold and delivered to customers in quantities of four quarts or less at the place where pasteurized or bottled, in containers provided by such customers.

The caps or tags on the containers shall be white and contain the term "Pasteurized grade B" in large bright green type and the name and address

of the dealer, also in bright green type.

Raw grade A: No milk shall be sold or offered for sale as raw grade A unless it is obtained from cows which have passed the tuberculin test and is so produced, handled, and cooled as to give at any time previous to delivery to the consumer a bacterial colony count of not more than 30,000 per cubic centimeter.

All employees or other persons engaged in handling the milk shall, previous to employment and as often thereafter as the health officer shall require, submit such laboratory specimens of body discharges as the health officer shall prescribe, such specimens to be examined in a laboratory approved for such examinations by the State commissioner of health, for the purpose of determin-

ing freedom from the germs of communicable disease.

Such milk shall be delivered within 36 hours after milking, in bottles only, except that, with the written permission of the health officer such milk, in containers of 5 gallons or more, properly labeled as to grade and destinations and with covers secured, may be delivered and sold to hospitals, institutions, camps, hotels, restaurants, or other public eating places to be consumed on the premises but not to be dispensed in bottles and except that, with the written permission of the health officer, such milk may be sold and delivered to customers in quantities of 4 quarts or less at the place where produced or bottled in containers provided by such customers.

The caps or tags on the containers shall be white and contain the term raw grade A in large bright red type and the name and address of the dealer,

also in bright red type.

Raw grade B: No milk shall be labeled or designated as raw grade B unless the producer thereof has made formal application in writing to the State department of agriculture and markets for tuberculin tests of his cattle and unless in all other respects such milk meets the standard and requirements herein prescribed for raw grade A.

Such milk shall be delivered within 36 hours of the time of milking in bottles

only, except as provided herein for raw grade A.

The caps or tags on the containers shall be white and contain the term "Raw grade B" in large bright green type and the name and address of the dealer.

REGULATION 24. Bacterial content and labeling of cream.—No cream shall be labeled, sold, or offered for sale as such unless it shall have been so produced, handled, and cooled as to give at any time before delivery to the consumer a bacterial colony count of not more than 500,000 per cubic centimeter.

The caps or tags on the containers shall contain the name and address of the dealer. No false or misleading word, term, or design shall appear on such

caps, tags, or containers.

SECTION E-MISCELLANEOUS

REGULATION 25. Certain persons prohibited from handling milk or cream.—No person affected with any communicable disease which may be transmitted through milk, or who is a carrier of the germs of such a disease shall act as milker, bottler, washer, or in any other capacity in connection with the handling of milk or cream or of any apparatus or equipment used in the handling, storing, bottling, pasteurizing, or delivering of milk or cream, and this prohibition shall also apply to any person who acts as nurse, cook, laundress, or in any way comes in contact with a person affected with such a communicable disease.

No person who is a carrier of the germs of typhoid fever shall reside on any dairy farm producing milk or cream except with the written permission of the health officer and subject to such conditions and restrictions as he shall prescribe. Failure on the part of such a carrier residing on a dairy farm under permit from the health officer to observe the prescribed conditions and restrictions may be deemed to be cause for exclusion from sale of milk or

cream produced upon such dairy farm.

REGULATION 26. Physical examinations to be permitted.—Every person holding a permit for the sale of milk or cream shall at any time allow the health officer or his representative or any authorized representative of the State commissioner of health to make such physical examinations of individuals in any way involved in handling milk or cream or of equipment used in connection therewith and to take such samples of body discharges as he may require and shall not employ any person refusing to undergo such examination or to submit such samples, nor accept milk or cream from any dairy farm whereon any individual refuses to undergo such examination or to submit such samples.

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REGULATION 27. Sediment tests to be made.—A sediment tester shall be used in all receiving and pasteurizing plants. All milk received at any such plant shall be tested by the person having the management and control of such receiving or pasteurizing plant or his representative at least once each month. The results of such tests shall be recorded and either posted in a conspicuous

place or returned to the producer.

If the milk is found repeatedly to be dirty, such milk shall be excluded from

sale and the health officer notified of such exclusion.

REGULATION 28. Milk and cream shipped into New York State.—No milk or cream shall be shipped into the State of New York unless the receiver or distributor thereof shall have furnished evidence satisfactory to the health officer that such milk or cream was produced under conditions equal to the requirements of this code and such milk otherwise shall conform to the provisions of this code.

REGULATION 29. Local authorities may enact supplementary regulations.—The health authorities of any municipality may in their discretion increase the stringency of these regulations or add to them in any way not inconsistent with the provisions thereof.

REGULATION 30. State commissioner of health may enact supplementary regulations.—The State commissioner of health is authorized to enact such

supplementary rules and regulations as he may deem necessary for the purpose of securing efficient execution and enforcement of the requirements of this

chapter.

REGULATION 31. Exceptions.—Those municipalities in which on May 6, 1927, there were in operation ordinances or regulations providing for a single grade or class of pasteurized milk and a single grade or class of unpasteurized milk other than certified and prescribing other designations therefor but establishing standards not lower than those established by this chapter, are hereby given authority to continue the system of grading or classification prescribed by such ordinances or regulations.

Milk and Cream—Certain Sanitary Code Regulations Relating to, Construed— Requirements Governing Pasteurizing Plants. (Reg. Commissioner of H., December 23, 1927)

SECTION I

REGULATION 1. The terms "milk" and "cream" as defined in regulation 1 of Chapter III and as used in this chapter shall be construed to apply only to milk and cream sold or offered for sale for human consumption in its original liquid state and not to that which is to be condensed, evaporated, converted into powdered milk, butter, or cheese, or used otherwise for manufacturing

purposes.

REGULATION 2. Any person selling or offering to sell milk or cream to consumers, except when it has been obtained from a person holding a permit from the health officer and is to be consumed on the premises as in public eating places, shall be deemed to be a person required by regulation 2 of Chapter III to have a permit from the health officer. A consumer is any person who secures milk or cream to be used as food by himself or others but not for resale except for consumption on the premises.

REGULATION 3. Regulation 2 of Chapter III shall not be construed to exempt persons desiring to sell milk from not more than one cow from obtaining a

permit from the health officer.

REGULATION 4. The terms "standard agar plate method" and "standard direct microscopic method" mean the methods as contained in the Standard Methods of Milk Analysis of the American Public Health Association, latest edition.

REGULATION 5. Regulation 4 of Chapter III shall de deemed to authorize inspection at any time by the health officer of any receiving, distributing, bottling, or other plant from or through which a person selling milk or cream or applying for a permit to sell milk or cream receives or expects to receive such milk or cream, whether or not such person is the owner or proprietor of such plant.

REGULATION 6. The exception in regulation 15 of Chapter III in relation to tuberculin tests in counties accredited under the accredited-herd plan shall not be construed to apply in any county unless the health officer has been advised in writing by the State department of health that the commissioner of agriculture and markets has approved a period longer than one year in such

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REGULATION 7. Regulation 23 of Chapter III shall not be construed to require a person who, pursuant to the written permission of the health officer, is selling and delivering milk to customers in quantities of 4 quarts or less, at the place where produced, bottled, or pasteurized, in containers provided by such customers, to place upon such containers, caps, or tags bearing grade designa-

tion and the name and address of the dealer.

REGULATION 8. The requirement contained in regulation 23, Chapter III, under the head of "Certified," that the county medical milk commission shall, once in each month, make certain reports to the health officer, shall be deemed to have been complied with if such reports have been made through the district State health officer having jurisdiction over the county in which is located the municipality where milk certified by such commission is sold.

SECTION II. PASTEURIZING PLANTS

REGULATION 1. Rooms in which milk or cream is pasteurized or bottled or in which sterilized containers or utensils are handled or stored shall not open directly into any stable or living quarters.

A separate wash room shall be maintained for the purpose of receiving, storing, and cleaning cans, bottles, and other utensils used in the operation of the business.

All doors to the milk-handling rooms shall be made self-closing.

Cans of raw milk shall not be unloaded directly into either the pasteurizing or the bottling room.

Walls and ceilings of all milk-handling rooms shall be of tight construction,

of material not readily affected by steam, and shall be kept clean.

Flush closets or sanitary privies shall be provided for employees. There shall be at least one room or vestibule between each flush-closet compartment and any room in which milk or cream is handled or milk utensils are washed. Doors of such compartments and connecting vestibules shall be self-closing. Privies, if provided, shall be of fly-tight construction with self-closing doors and seat covers and shall be entirely separated from any room in which milk is handled or sterilized containers or utensils are handled or stored. Conveniently located washing facilities, including running water, soap, and individual

sanitary towels, shall be provided for the use of employees.

REGULATION 2. Pasteurizing apparatus, in order to meet the approval of the State commissioner of health under the provisions of regulation 20 of Chapter III (1) shall be constructed in such manner as to be easily cleaned and shall have all surfaces with which milk comes in contact of impervious, noncorrodible material with smooth joints and angles; (2) shall be protected against leakage of unpasteurized milk into holders during the holding and emptying periods by properly located leak protector inlet valves or by valveless method of filling or equivalent devices; (3) shall be provided with such flush outlet valves as may be necessary to keep every particle of milk within the influence of agitation and heating and within the covering protecting the holder against loss of heat; (4) shall be protected against leakage of unpasteurized milk from holders into the outlet pipes during the filling, heating, and holding periods by satisfactory leak protector outlet valves with sterilizing connections or valveless method of emptying, or where single vats with simple flush valves are used they may be protected by disconnecting the outlet pipe during the filling, heating, and holding periods properly supporting it off the floor and rinsing such outlet pipe and sterilizing it before emptying the holder; (5) shall be so designed and operated as to eliminate foams or if foam is present such holders shall be equipped with suitable devices to keep the foam and the atmosphere above the milk at a temperature of 143° F. or more; and (6) shall be properly heated, insulated, and shall be provided with agitating device when necessary.

Holders of the continuous-flow type shall be equipped at both inlet and outlet end with pumps geared directly to properly timed constant speed motors, except that in the case of installations in which the holder empties by gravity the outlet pump is not required. In this latter case the outlet pipe shall be of such size or so constructed as to control the rate of emptying to that neces-

sary to insure the required holding time.

Pocket type holders if automatically operated shall be equipped with an accurate timing device operated by a constant speed motor so arranged and operated as to insure the required holding period. Pocket type holders, if manually controlled, shall be so arranged and operated as to indicate on the

chart of the recording thermometer the time of holding.

REGULATION 3. All indicating thermometers (1) shall be direct reading; (2) shall be armored; (3) shall have at least $\frac{1}{16}$ -inch scale divisions per degree; (4) shall be accurate within the limits of readability with the naked eye at 143° F.; (5) shall have a mark etched on the glass at 143° F.; and (6) shall have pressure-tight seats against the inside wall of the holder or pipe into

which the bulb extends so that no threads are exposed to the milk.

REGULATION 4. Every new recording thermometer and every existing recording thermometer upon which it is necessary to renew the tube system shall be adjusted to use charts having not less than ½-inch scale divisions per degree between 140° and 145° F. on a standard 12-hour chart and shall be calibrated and set to be accurate within the limits of readability with the naked eye at 143° F. Such thermometers shall be protected against damage at a sterilization temperature of 230° F. and shall be provided with a moisture-proof case and with tubing as short as practicable. Bulb fittings of all new recording thermometers shall have pressure-tight seats against the inside wall of the holder or pipe into which the bulb etxends. No threads shall be exposed to the milk.

All recording thermometers shall be checked against the indicating thermometers daily by the plant operator and shall be kept in good operating condition.

In pocket type and continuous flow holders the recording thermometer bulb shall be located in the outlet manifold or so as to be submerged in the discharge from the outlet pipe as near the holder as practicable. In vat types the bulb shall be so located that the temperature and actual time of holding will be shown on the temperature chart. Recording thermometer bulbs for in-the-bottle pasteurizers shall be located in a bottle of milk or water so placed as to record the minimum temperature at any point in the pasteurizer.

REGULATION 5. Charts for recording thermometers shall have at least $\frac{1}{16}$ -inch divisions for each degree for temperatures between 140° and 145° F., except for existing installations as provided under regulation 4. Charts shall be changed

and dated daily and shall be kept on file for at least one year.

REGULATION 6. No water other than that from a potable shall be used for

cooling purposes.

REGULATION 7. Only sanitary milk piping of noncorrodible material and of a type which can be easily inspected, disassembled, and cleaned with a brush shall be used.

REGULATION 8. All milk pumps shall be of sanitary construction with non-corrodible material for surfaces coming in contact with milk and shall be so constructed as to be easily taken apart for cleaning.

Regulation 9. Valves used in milk lines shall be so designed and constructed

as to be readily taken apart and cleaned.

REGULATION 10. Pasteurizers shall have suitable tight fitting covers so constructed that nothing on top thereof will drop into the milk when the covers are in either their open or closed positions. The covers of all equipment shall be kept closed during operation, except in the case of emergency.

REGULATION 11. Surface coolers (1) shall be maintained free from leaks, and (2) shall be provided with suitable covers unless such coolers are located in a well-protected, dust-free room used for no purpose other than cooling milk or

cream.

REGULATION 12. All regenerative heaters or coolers shall be so arranged that the pasteurized milk shall always be under higher pressure than the unpasteurized milk.

REGULATION 13. All persons coming in contact with milk or milk products, containers, or equipment shall wear clean washable outer garments, preferably of light colored material, and shall keep their hands clean at all times while thus engaged.

REGULATION 14. Spitting within rooms in which milk is pasteurized or han-

dled shall be prohibited.

REGULATION 15. All utensils, pipes, pumps, vats, and other apparatus used in contact with raw or pasteurized milk or cream (1) shall be taken apart and thoroughly cleaned immediately after each day's run; (2) pipes and small parts shall be suitably stored while not in use in such manner as to permit drainage and prevent contamination; and (3) shall not be reassembled until just before the next day's run, at which time the assembled apparatus shall be completely and thoroughly sterilized with steam or hot water at a temperature of not less than 180° F. for a period of not less than 5 minutes, or by other

method if approved in writing by the State commissioner of health.

REGULATION 16. If hot caustic soda solution is used for sterilizing milk bottles, the solution shall have a strength of not less than 2½ per cent caustic soda at all times and shall be maintained at a temperature of not less than 140° F. during the bottle-washing operation. Each bottle shall be filled and completely submerged in such solution for not less than 10 minutes after which it shall be rinsed with potable water. The rinse water shall be of sufficient pressure and quantity to remove all alkali and shall not be used more than once. The caustic solution shall be entirely replaced with fresh solution not less than once a week but sufficient caustic soda shall be added daily to maintain the solution at a strength of not less than 2½ per cent caustic soda. The use in sterilizing milk bottles of combinations of time and temperature and concentration of caustic solution not in accordance with the above requirements or the use of other chemicals for sterilizing will be permissible only with the written approval of the State commissioner of health.

REGULATION 17. Between the times of sterilization and subsequent usage all containers and apparatus shall be stored and handled in such manner as to

prevent any part of the person or clothing from coming in contact with any surface with which milk or cream come in contact.

REGULATION 18. Pasteurized milk shall not be removed from the pasteurizer by hand methods nor shall pasteurized milk be discharged through pipes or pumps which have previously been used for unpasteurized milk.

REGULATION 19. Pasteurized milk shall not be strained except through a metal strainer which is so arranged as to be sterilized with the bottling machine.

Eggs—Sale—Establishment of Grades or Standards—Candling. (Ch. 409, Act March 30, 1927)

[This act adds the following article to chapter 69, consolidated laws:] ARTICLE 13A. Sec. 160a. Eggs; sale for food by grades or standards; consumer; definition.—No person, and the term "person" in this statute shall include an individual, partnership, corporation, or association, shall, either as producer, wholesaler, commission merchant, jobber, or retailer, sell, or offer to sell, or expose for sale for human consumption any eggs in the shell or otherwise which are unfit for human food. From and after the establishment of specific grades or standards of quality and size or weight of eggs by the commissioner of agriculture and markets, as provided in the next section, eggs for human consumption shall not be sold or exposed for sale except by the grades or standards so established.

The term "consumer" whenever used in this statute shall mean any person purchasing eggs for his or her own family use or consumption, or a restaurant, hotel, boarding house, bakery, or other institution purchasing eggs for serving to guests or patrons or for its or their use in cooking or baking.

SEC. 160b. Establishment of grades or standards.—It shall be the duty of the State department of agriculture and markets to enforce the provisions of this article, and the commissioner of agriculture and markets is hereby vested with full power to establish forthwith and from time to time the specific grades or standards of quality and size or weight to govern the sale of eggs to the consumer and to establish different grades or prescribe different terms indicative of size or weight, quality, and manner of preparation of eggs for human consumption for use in sales between the producer and wholesaler, between the wholesaler and jobber, and between the wholesaler or jobber and the retailer. The commissioner of agriculture and markets shall have full authority to make rules and regulations for carrying out and enforcing the provisions of this act: Provided, however, That the grades or standards of quality established by him shall not permit the sale of any eggs for human consumption of poorer quality than permitted by the lowest grade or standard for edible eggs established from time to time by the United States Secretary of Agriculture. All rules, regulations, and standards of quality and size or weight established under the authority of this statute shall have the force of law and shall be filed and open for public inspection in the office of the State department of agriculture and markets.

Sec. 160c. Refail sale by grade or quality; fresh eggs; definition.—It shall be unlawful for any person to sell, or offer to sell, or expose for sale to a consumer, any eggs intended for human consumption other than those of his own production without notifying by suitable sign or label the person or persons purchasing or intending to purchase the same of the exact grade or quality of such eggs, according to the standards prescribed by the commissioner of agriculture and markets.

No person shall sell, offer for sale, or advertise for sale as fresh eggs, strictly fresh eggs, henner, eggs, or new-laid eggs, or under words or descriptions of similar import, any eggs which are not fresh. No egg shall be deemed to be fresh which does not meet the standards of quality of fresh eggs established by the commissioner of agriculture and markets. The method for determining adherence to the said standards of quality shall be that commonly known as "candling."

Sec. 160d. Sales; misrepresentation.—No person shall sell or offer for sale, or advertise for sale, eggs for human consumption if the package containing them or the label on them, or any advertising accompanying them, shall bear any statement or device regarding the eggs which may be false or misleading in any particular.

Sec. 160e. Making and filing of invoice.—Every person, other than the producer, in selling eggs to a retailer, shall furnish to such retailer an invoice

showing the exact grade or quality of such eggs according to the standards prescribed by the commissioner of agriculture and markets. A copy of such invoice shall be kept on file by the person selling and the retailer at their respective places of business for a period of 60 days, and shall be available and open for inspection at all reasonable times by the State department of agricul-

ture and markets.

SEC. 160f. Fines and penalties.—Every person, partnership, corporation, or association violating any of the provisions of this statute or any rule or regulation adopted hereunder by the commissioner of agriculture and markets with respect to the sale of eggs for human consumption shall be subject to a penalty in the sum of not less than \$25 nor more than \$100 for the first violation, nor more than \$200 for the second violation, nor more than \$300 for the third violation. Every violation shall be a separate and distinct violation, and each violation shall be a misdemeanor punishable in addition to any penalty with a fine of not more than \$500 or imprisonment for not less than 30 days nor more than 90 days, or both such fine and imprisonment. All actions for penalties shall be brought by the attorney general in the name of the people of the State and criminal proceedings shall be brought by the attorney general or the district attorney, and all fines and penalties shall be paid into the treasury of the State.

SEC. 160g. Effect of article.—Notwithstanding the provisions of any other statute, from and after its enactment this statute shall exclusively control the keeping and sale of eggs in this State for human consumption, but nothing berein shall be deemed to repeal the provisions of article 17 of the agriculture and markets law with respect to the adulteration, packing, and branding of food

and food products.

Public Shellfish Grounds—Validity of Inspection Certificates. (Ch. 230, Act March 22, 1927)

[Section 2 of this act amends subdivision 3 (as amended by ch. 370,¹⁶ laws, 1926) of section 312 of chapter 65, consolidated laws, to read as follows:]

3. Termination.—Each certificate unless sooner revoked shall be void after the 31st day of December next succeeding its issuance: Provided, That all certificates heretofore issued shall be valid until the 31st day of December next unless sooner revoked.

Public Water Supplies—Inspection of Sources and Watershed to Ascertain if Sanitary Regulations Are Observed—Enforcement of Regulations to Prevent Contamination—Abatement of Source or Act of Contamination. (Ch. 602, Act April 4, 1927)

[This act amends section 71 (as amended by ch. 309," laws, 1926) of chapter

45, consolidated laws, to read as follows:]

Sec. 71. Inspection of water.—The person, officer, board, or commission having the management and control of the potable water supply of any municipality, State, or United States institution, park, reservation, or post, and in the city of New York, the commissioner of water supply, gas, and electricity, and the board of water supply of the city of New York, or the corporation furnishing such supply, may make such inspection of the sources of such water supply as such person, officer, board, corporation, or commission deems advisable and to ascertain whether the rules or regulations of the State department of health, and of the commissioner of water supply, gas, and electricity of the city of New York, are complied with, and shall make such regular or special inspections as the State commissioner of health, or the commissioner of the department of water supply, gas, and electricity of the city of New York, or the board of water supply of the city of New York, may prescribe, and the authorities in charge of the water supply or their duly authorized representatives may without fee or hindrance enter, examine, and survey all grounds, structures, buildings, and places on the watershed tributary to the sources of such water supply in order to ascertain whether such rules or regulations are complied with. If any such inspection discloses a violation of any such rule or regulation relating to a temporary

Supplement 65 to Public Health Reports, p. 138.
 Supplement 65 to Public Health Reports, p. 140.

or permanent source or act of contamination, such person, officer, board, corporation, or commission shall cause a copy of the rule or regulation violated to be served upon the person violating the same, with a notice of such violation. If the person served does not immediately comply with the rule or regulation violated, such person, officer, board, corporation, or commission, except in a case concerning the violation of a rule or regulation relating to a temporary or permanent source or act of contamination affecting the potable water supply of the city of New York, shall notify the State department of health of the violation, which shall immediately examine into such violation; and if such person is found by the State department of health to have actually violated such rule or regulation, the commissioner of health shall order the local board of health of such municipality wherein the violation or noncompliance occurs to convene and enforce obedience to such rule or regulation. If the local board fails to enforce such order within 10 days after its receipt, the corporation furnishing such water supply or the municipality, State, or United States or State or United States institution, park, reservation, or post deriving its water supply from the waters to which such rule or regulation relates, or the State commissioner of health or the local board of health of the municipality wherein the water supply protected by these rules is used, or any person interested in the protection of the purity of the water supply, may maintain an action in a court of record which shall be tried in the county where the cause of action arose against such person, for the recovery of the penalties incurred by such violation, and for an injunction retaining him from the continued violation of such rule or regulation. If the person served does not comply within five days with the rule or regulation violated, in case such rule or regulation relates to a temporary or permanent source or act of contamination affecting the potable water supply of the city of New York, the commissioner of water supply, gas, and electricity of said city, or the board of water supply of the city of New York, may summarily enforce compliance with such rule or regulation and may summarily abate or remove the cause of the violation of such rule or regulation or the nuisance so created, and to that end may employ such force as may be necessary and proper: Provided, however, That no building or improvement shall be removed, disturbed, or destroyed by the said commissioner of water supply or the said board of water supply until he or they shall cause measurements to be made of the buildings and photographs of the exterior views thereof, which measurements and photographs shall be at the disposition thereafter of the owners or their attorneys, and failure to exercise such right of abatement shall not be deemed a waiver thereof. Failure to comply within five days with such rule or regulation shall further entitle the city of New York to maintain an action in any court having jurisdiction thereof for the recovery of the penalties incurred by such violation and for an injunction restraining the person or persons violating such rule or regulation, or creating or continuing such nuisance, from the continued violation of such rule or regulation or continuance of such nuisance; the remedy by abatement being not exclusive.

Emergency Orders by State Commissioner of Health Affecting Public Water Supply Constituting a Menace to Public Health—Enforcement of Compliance with. (Ch. 254, Act March 23, 1927)

[This act adds the following section to chapter 45, consolidated laws:]

Sec. 88. Emergency orders by commissioner of health.—When the State commissioner of health, after investigation of the condition of any public water supply used for drinking or other domestic purposes, whether maintained and operated by a municipality, water district, or private corporation, company, or individual, shall certify to the board, corporation, company, officer, or person in charge of the maintenance and operation of such water supply that in his opinion such water supply is so polluted or subject to dangerous pollution as to constitute a menace to the public health and shall order reasonable emergency measures to be applied to such water supply for the protection of public health and such municipality, water district, or private corporation, company, or individual maintaining and operating such water supply shall fail to carry out such emergency order forthwith, any court of competent jurisdiction may, upon the application of the State commissioner of health, enforce prompt compliance with such emergency order. Service of the certificate by the State commissioner of health as aforesaid shall be made upon the mayor or corporation council [counsel?] of the municipality or upon an officer of the water district or private corporation or company as the case may be.

Water Supply—Acquisition, Construction, etc., of Waterworks System or Purchase of Water Jointly by Towns, Villages, or Water Districts. (Ch. 654, Act April 4, 1927)

[This act authorizes any two or more towns, villages, or water districts to jointly acquire, construct, provide, maintain, and operate a waterworks system or to jointly purchase water in bulk for the purpose of procuring and conveying a supply of potable water to the respective municipalities and their inhabitants. The act is in 25 sections and covers the subject in detail.]

Water Systems in Towns—Assessments for Construction or Extension. (Ch. 643, Act April 4, 1927)

[This act amends section 290a (as added by ch. 500,18 laws, 1926) of chapter

62, consolidated laws, to read as follows:

Sec. 290a. Statement as to assessment of cost of construction.—Any petition made and filed pursuant to the provisions of section 282, 299a or section 305b of this article may contain a statement that the cost of construction of the water system or extension therein described as the case may be shall be assessed from year to year by the water commissioners of the water district or extension thereof in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom. In the event that any such petition contains such a statement, the amount to be raised for the payment of the principal and interest of the bonds issued for the construction of the water system or extension thereof constructed pursuant to such petition shall not be apportioned in accordance with the provisions of section 289 and section 290 of this article, but shall be assessed on the lands within such district or extension of district in the manner provided by sections 237, 238, 239, 240, and 241 of the town law for the assessment of the cost of the construction of a sewer system or extension thereof.

Water Districts in Towns—Enlargement—Extension of Water-Supply System. (Ch. 289, Act March 24, 1927)

[This act adds the following section to chapter 62, consolidated laws:]

Sec. 299b. Enlargement of water districts and construction of water-supply systems therein.-After the establishment of a water district and the construction of a water-supply system therein in any town upon the petition of all owners of taxable real property within the proposed enlargement or extension, the water commissioners of said district may, with the consent of the town board, enlarge said district and extend the water-supply system therein by including therein lands and premises situated within the limits of an incorporated village provided such lands and premises within said proposed enlargement are wholly situated within such town. The petition for said proposed enlargement and extension shall be signed by all owners of taxable real property within said proposed enlargement or extension, shall describe the proposed enlargement of said water district, shall state the maximum amount proposed to be expended in the construction of the proposed extension of the water-supply system, shall contain a statement to the effect that the cost of the construction of the proposed extension of said water-supply system shall be levied from year to year against the taxable property within such proposed enlargement in the same manner as is provided for the payment of bonds issued to pay the cost of constructing an original water system in a water district, and shall be acknowledged by the petitioners in the same manner as a deed to be recorded. Said petition shall be accompanied by a certified copy of a resolution of the board of trustees of the village affected by said enlargement consenting to the inclusion within the proposed enlargement of said water district of lands and premises located within the corporate limits of said village, and also by a map and plan prepared by a competent engineer showing the proposed enlargement of the water district, the method of construction of the proposed extension of the water-supply system therein, and the location of the water mains, distributing pipes, and hydrants. The map shall be filed as prescribed by section 283 of this article.

A notice of such petition shall be given and a hearing and determination had by and before the water commissioners in the manner, as nearly as may be, as is provided in section 285. Such petition shall not be granted or said

¹⁸ Supplement 65 to Public Health Reports, p. 155.

proposed extension made therein unless a certified copy of a resolution, adopted by the board of trustees of the village affected by said proposed enlargement consenting to such proposed enlargement and extension, is filed with the board of water commissioners at the time of presenting such petition. The determination, if favorable to the petitioners, shall be approved by the town board at any regular or special meeting by making and entering upon its minutes an order enlarging said district and authorizing the extension of the water-supply system therein, whereupon the board of water commissioners shall proceed to extend said water supply system in accordance with the said petition.

All the provisions in this article in relation to contracts for the construction of the original water system in such water districts and the issue and sale of bonds therefor and the payment of such bonds not inconsistent with this section shall apply to the enlargement of such water district and extension of watersupply system as authorized by this action. When the town board has approved the determination of said water commissioners the said water commissioners shall thereupon and from time to time thereafter, as often as is necessary, make such reasonable rules and regulations for the supplying of water to such new territory and the collection of the reasonable cost thereof as may be necessary. Such water districts may be enlarged as provided herein as often as may be desired. The reasonable expenses of the necessary proceedings for the enlargement of such water district, as herein prescribed, are a charge against such added territory to be levied and collected in the same manner as the cost of construction of the enlargement of the water-supply system. If the petition is not granted the persons who signed the same are jointly and severally liable for such expenses. At any time after the town board has made an order enlarging such water district or extending the water-supply system as herein provided, the maximum amount proposed to be expended in the construction of the enlargement of such water-supply system may be increased by a petition signed, acknowledged and filed in the manner hereinbefore specified, setting forth the additional amount proposed to be expended in excess of the maximum amount set forth in the original petition. Such petition must be signed and proved or acknowledged in the same manner as the original petition for such enlargement and shall be filed in the office of the town clerk.

Water Districts in Towns—Enlargement to Include Territory Within Certain Villages—Construction of Water-Supply System Within Added Territory. Water-Supply System Within Village and Constituting Part of Town Water District—Purchase by Village. (Ch. 333, Act March 26, 1927)

[This act adds the following sections to chapter 64, consolidated laws:]

SEC. 237. Enlargement of a water district and construction of a water-supply system therein.—The board of trustees of any village not owning a water-supply system may, upon the petition of all owners of taxable real property within the proposed enlargement or extension, consent to the enlargement of a water district heretofore established under the provisions of the town law and wholly situated within the same town within which such village is situated, and to the construction of a water-supply system therein, by including in such proposed enlargement or extension lands and premises situated with n the corporate limits of such village.

The petition for said proposed enlargement and extension shall contain a statement to the effect that the cost of the construction of the proposed extension of the water-supply system shall be lev'ed from year to year against the taxable property within such proposed enlargement in the same manner as is provided for the payment of bonds issued to pay the cost of constructing an original water system in a water district established under the provisions of the town law, shall be signed by all the owners of taxable real property within said proposed enlargement, shall describe the proposed enlargement of said water district, shall state the maximum amount proposed to be expended in the construction of the proposed extension of the water-supply system and shall be acknowledged by the petitioners in the same manner as a deed to be recorded. Said petition shall have attached thereto a map prepared by a competent engineer showing the proposed enlargement of the water district and the extension of the water-supply system therein, the method of construction, and the location of the water mains, distributing pipes, and hydrants.

Sec. 238. If a proposition be adopted for the acquisition of a source of water supply, or for the construction of a water-supply system in said village, after

the enlargement of said water district and the construction of the water-supply system therein as provided in the preceding section, the portion of the water-supply system situated within said village may be purchased by the village as part of the proposed system and the value thereof shall be determined by the amount of water bonds issued for the construction of said extension within said village and the accrued interest thereon which at the time of such purchase remain unpaid.

Habit-Forming Drugs—Possession, Sale, and Dispensing—Possession of Hypodermic Instruments—Destruction—Notice of Conviction of Physician, Dentist, etc., for Violating Act to Be Given Department, etc., Having Power to Suspend or Revoke Professional License—Commitment of Addicts for Treatment. (Ch. 672, Act April 5, 1927)

[Section 1 of th's act adds the following article to chapter 45, consolidated laws:]

ARTICLE XXII. HABIT-FORMING DRUGS

Sec. 420. Short title.—This article shall be known as the narcotic drug control law.

SEC. 421. Definitions .- As used in this article:

- 1. "Person" includes any corporation, association, copartnership, or one or more individuals.
 - "Physician" means a licensed practitioner of medicine as defined by law.
 "Apothecary" means a licensed pharmacist or druggist as defined by law.
- 4. "Dentist" means a licensed practitioner of dentistry as defined by law.
 5. "Veterinarian" means a licensed practitioner of veterinary medicine as defined by law.
- "Nurse" means a registered practitioner of nurs'ng as defined by law.
 "Medicine" means a drug or preparation of drugs in suitable form for use as remedial or curative substance.
- 8. "Sale" includes barter, exchange, or giving away, or offering therefor and each such transaction made by any person whether as principal, proprietor, agent servent or employee

agent, servant, or employee.

9. "Dispense" includes distribute, leave with, give away, dispose of, and deliver to a person or to his agent to be delivered to him.

10. "Administer" means only administration by a person authorized to administer habit-forming drugs.

11. "Coca leaves" includes coca leaves, cocaine, or any compound, manufacture, salt, derivative, or preparat on thereof, including alpha or beta eucaine, or any of their salts or any synthetic substitute of any of them, identical in chemical composition, but shall not include decocanized coca leaves, or preparations made therefrom or other preparations of coca leaves which do not contain cocaine.

12. "Opium" includes opium, morphine, codeine, diacetylmorphine heroin, or any compound, manufacture, salt, derivative, or preparation of any of them or any synthetic substitute of any of them identical in chemical composition, but

not apomorphine and its salts.

13. "Cannabis indica" or "cannabis sativa" shall include any compound, manufacture, salt, derivative, or preparation thereof and any synthetic substitute of any of them identical in chemical composition.

14. "Habit-forming drugs" shall mean coca leaves, opium, cannabis indica,

or cannabis sativa.

15. "Manufacturer" means a person who by compounding, mixing, or other process of manufacture, produces or prepares habit-forming drugs for sale on written orders, and does not include an apothecary who compounds habit-forming drugs to be sold or dispensed on prescription.

16. "Wholesaler" means a person who supplies habit-forming drugs on writ-

ten orders.

17. "The Harrison Act" means the act of Congress, entitled "An act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for other purposes," approved December 17, 1914, as heretofore or hereafter amended.

Sec. 422. Acts dangerous to public health.—Any unauthorized possession, control over, sale, distribution, prescribing, administering, or dispensing of habitforming drugs is hereby declared to be dangerous to the public health, and a menace to the public welfare.

Sec. 423. Acts prohibited.—It shall be unlawful for any person to possess, have under his control, sell, distribute, administer, dispense, or prescribe any

habit-forming drug except as provided in this article.

Sec. 424. Sale on written orders.—1. By whom and to whom sold: A manufacturer, wholesaler, or apothecary may sell or distribute habit-forming drugs upon his written order to any of the following persons:

(a) To a manufacturer, wholesaler, or apothecary.

(b) To a physician, dentist, or veterinarian.

(c) To a public or private hospital.

(d) To a hospital or institution licensed for the treatment of drug addiction. (e) To a person in charge of a laboratory where habit-forming drugs are used for scientific or medical research, but only for use in such laboratory.

(f) To a person in the employ of the United States or of this State or of any political subdivision thereof purchasing or receiving the drug by reason of his official duties.

(g) To a captain or proper officer of a ship upon which no regular physician is employed for the actual medical needs of the officers and crew when not in

Provided, however, That both parties to the transaction in each of the above cases are registered under the Harrison Act if required by such act to be so

registered.

2. Order blanks: A written order for the supply of any habit-forming drug shall be signed in duplicate by the person giving it or by his duly authorized agent, one duplicate of which shall be presented to the person who sells or distributes such habit-forming drugs and in the event of his acceptance of such order, each party shall preserve his duplicate of such order for a period of two years in such a way as to be readily accessible for inspection and it shall be subject to inspection by any public officer or employee engaged in the enforcement of this article: Provided, however, That it shall be deemed a compliance with this subsection if the person giving the order shall have complied with the provisions of the Harrison Act respecting the requirements governing order blanks under said act.

3, Possession lawful. Possession of or control over habit-forming drugs, obtained as provided in this section, shall be lawful only in the regular course of business, occupation, profession, employment, or duty of the possessor and in

an amount necessary therefor.

4. This section shall not apply to the supply of habit-forming drugs on prescription or administered or dispensed by a physician, dentist, or veterinarian.

SEC. 425. Preparations, prescriptions, and remedies exempted.—The provisions of this article shall not apply to:

1. Medical preparations centaining cannabis indica or cannabis sativa when combined with other ingredients in medicinal doses.

2. Preparations, prescriptions, and remedies which do not contain more than 2 grains of opium, or more than one-fourth of a grain of morphine, or more than one-eighth of a grain of heroin, or more than 1 grain of codeine, or any salt or derivative of any of them, in 1 fluid ounce, or, if a solid or semisolid

preparation, in 1 avoirdupois ounce; or to

3. Liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, or other preparations which contain cocaine or any of its salts or alpha or beta eucaine or any of their salts or any synthetic substitute identical in chemical composition: Provided, That such remedies and preparations are sold, distributed, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this article.

SEC. 426. Professional use of habit-forming drugs.—1. Veterinarians: A veterinarian may prescribe, administer, or dispense habit-forming drugs in good faith and in the course of his professional practice only, and not for use by a

human being.

2. Dentists: A dentist, in good faith and in the course of his professional practice only, may administer or dispense habit-forming drugs to patients under his immediate treatment.

3. Physicians: A physician in good faith and in the course of his professional practice only may prescribe, administer, or dispense habit-forming drugs.

4. Nurses: A nurse in good faith and in the course of her professional practice only and acting under the direction or supervision of a physician may possess and administer habit-forming drugs. Any unused habit-forming drugs left by a physician with a nurse to be administered during his absence, upon discharge of the nurse must be returned to the physician.

Sec. 427. Prescription.—Any apothecary may sell or dispense habit-forming drugs to any individual upon a written prescription of a physician, dentist, or veterinarian, dated and signed on the day when issued and bearing the full name and address of the person for whom or the owner of the animal for which the drug is dispensed and the name, address, and registry number of the practitioner under the Harrison Act, if he is required by it to be so registered. The person filling the prescription must write the date of filling and his own signature upon the face of the prescription, and the prescription must be retained on file by the apothecary filling it for two years so as to be readily accessible for inspection and it shall be subject to inspection by any public officer or employee engaged in the enforcement of this article, except as exempted by section 425. The prescription shall not be refilled.

Sec. 428. Record to be kept.—1. Physicians, dentists, veterinarians: Every physician, dentist, and veterinarian shall keep a record of all habit-forming drugs administered or dispensed by him showing the amount administered or dispensed, except such as may be administered or dispensed to a patient upon

whom he shall personally attend.

2. Manufacturers and wholesalers: Manufacturers and wholesalers shall keep

a record of the habit-forming drugs received and disposed of by them.

3. Exempted preparations, prescriptions, and remedies: Every manufacturer of exempted preparations, prescriptions, and remedies shall keep a record of the amount of habit-forming drugs received and of all sales of exempted preparations, prescriptions, and remedies and every dealer therein shall keep a record of all sales of exempted preparations, prescriptions, and remedies.

4. Form and preservation: Every such record shall be kept for a period of two years from the date of the transaction recorded, and a record required by or under the Harrison Act, containing substantially the same information, shall be a compliance with this section. All records required by this section shall be readily accessible for inspection and shall be onen to inspection by the

proper authorities.

Sec. 429. Written orders and records for cannabis indica and cannabis sativa.—Written orders shall not be required for the sale of cannabis indica or cannabis sativa, and the provisions of this act in respect to written orders and records shall not apply to cannabis indica and cannabis sativa but manufacturers and wholesalers of cannabis indica and cannabis sativa shall keep a record of all cannabis indica and cannabis sativa received by them and manufacturers shall keep a record of the quantity used in the manufacture of medicinal products.

Sec. 430. Labels.—Whenever an apothecary pursuant to a written prescription shall sell or dispense habit-forming drugs or whenever a physician, dentist, or veterinarian shall dispense any of such drugs, he shall securely affix to the container of such drug a label stating in legible English the name and address of the physician, dentist, or veterinarian prescribing or dispensing and of the apothecary dispensing, the date and the name and address of the person for whom or the owner of the animal for which the drug is dispensed.

Sec. 431. Authorized possession of drugs by individual.—A person to whom or for whose use any habit-forming drug has been sold or dispensed by an apothecary, physician, or dentist or the owner of an animal for which any such drug has been prescribed or dispensed by a veterinarian, may lawfully possess it in the container delivered to him by the person selling or dispensing same.

SEC. 432. Physical examination required.—A physician, dentist, or veterinarian shall not administer, dispense, or prescribe any habit-forming drugs except after a physical examination of the person for whom or the animal for which the drug is intended.

SEC. 433. Instruments for injection of habit-forming drugs.—No person except a manufacturer or a wholesale or retail dealer in surgical instruments, apothecary, physician, dentist, veterinarian, nurse, or interne shall at any time have or possess a hypodermic syringe or needle or any instrument or implement adapted for the use of habit-forming drugs by subcutaneous injections and

which is possessed for the purpose of administering habit-forming drugs unless such possession be authorized by the certificate of a physician issued within the

period of one year prior thereto.

Sec. 434. Exemption from restrictions.—1. Common carriers, employees, public officers: The provisions of this article restricting the possessing or having under control of habit-forming drugs shall not apply to common carriers or warehousemen or their employees engaged in lawful transportation or storage of such drugs nor to public officers or employees while engaged in the performance of their official duties, nor to temporary incidental possession by employees or agents of persons lawfully entitled to possession, or by persons whose possession is for the purpose of aiding public officers in the performance of their official duties.

2. Interstate commerce: This article shall not apply to acts done or to habit-forming drugs possessed in the course of interstate or foreign commerce.

SEC. 435. Drugs to be destroyed.—All drugs which have been seized and judicially determined to have been unlawfully possessed or the title to which has ceased and which have come into the hands of a peace officer shall, upon the direction of a court or magistrate, be destroyed unless otherwise destroyed according to law. A record shall be kept of the drugs so destroyed.

Sec. 436. Notice of conviction of professional men sent to licensing authority.—

1. On conviction of any physician, dentist, veterinarian, nurse, or apothecary for willful violation of any of the provisions of this article, a copy of the sentence and of the opinion of the court or magistrate if any be filed shall be sent by the clerk of the court or by the magistrate to the department, board, or officer having power to suspend or revoke the license or registration of the person convicted, for proper action by the department, board, or officer.

2. At the request of such department, board, or officer, the clerk or magistrate shall send to such department, board, or officer a transcript of the record or of the proceedings in a court not of record, and such portion of the evidence as may

be requested.

SEC. 437. Records confidential.—Prescriptions, orders, or records required under this article shall not be open to inspection nor shall any information contained therein be divulged except for the purpose of enforcing the laws of this State or the Harrison Act, or on the direction of the department of State police or of the police department of any city to an officer of another State, for

the purpose of enforcing the law of such State,

SEC. 438. Fraud or deceit.—Any fraud, deceit, misrepresentation, subterfuge, concealment of a material fact, or the use of a false name, or the giving of a false address in obtaining treatment in the course of which habit-forming drugs shall be prescribed or dispensed or in obtaining any supply of such drugs shall constitute a violation of the provisions of this article and shall not be deemed a privileged communication. The willful making of any false statement in any prescription, order, report, or record required under this article shall constitute a violation of this article. No person shall for the purpose of obtaining any habit-forming drug falsely assume the title or represent himself to be a manufacturer, wholesaler, apothecary, physician, dentist, veterinarian, or make or utter any false or forged order or prescription for or label for a container of or for habit-forming dugs, or affix such label, or alter, deface, or remove any such label.

SEC. 439. Commitment of addicts; procedure; discharge.—1. At request of addict: A magistrate upon the voluntary application to him of any habitual user of any habit-forming drug may commit such person to any hospital or charitable institution maintained in whole or in part thereof by the State or any political subdivision thereof which is willing to receive such addict.

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2. Person accused of crime: Any trial court having jurisdiction of a defendant who is a prisoner in a criminal action or proceeding, if it appears that the defendant is an habitual user of any habit-forming drug and is suffering as a result of such use, may likewise so commit such defendant, at any stage of such action or proceeding and direct a stay of proceedings or suspend sentence pending the period of such commitment but not exceeding 60 days without a further order of the court.

3. Discharge: Whenever the medical officer of the institution, or if there be no medical officer, the superintendent, shall certify to the committing magistrate or court that any person so committed has been sufficiently treated, or give any other reason which is deemed by the magistrate or court to be adequate and

sufficient, he may in accordance with the terms of commitment discharge the person so committed, or return such person to await the further action of the court, provided, however, that when such commitment is to an institution under the jurisdiction of the department of correction, or other similar department in a city of the first class, where there is a parole commission established pursuant to law, such commission shall act in the place and stead of a chief medical officer for the purpose of making such a certificate.

SEC. 440. Exceptions and exemptions not required to be negatived.—In any complaint, information, indictment, or other writ or in any action or proceeding brought for the enforcement of any of the provisions of this article, it shall not be necessary to negative an exception or exemption, and the burden of offering

proof of any such exception or exemption shall be upon the defendant.

SEC. 441. Enforcement.—This article shall be enforced by the judicial and police authorities of the State and of the political subdivisions thereof engaged in the enforcement of the law. Such authorities and their agents shall have access at all times to all orders, prescriptions or records to be kept under this article.

Sec. 442. Possession at time article goes into effect.—Habit-forming drugs lawfully in the possession or under control of any person at the time this article goes into effect, may be possessed by him with the same effect as if obtained lawfully under this article.

SEC. 443. Penalties.-A violation of any provision of this article shall con-

stitute a misdemeanor.

Sec. 444. Acquittal or conviction under Harrison Act.—No person shall be prosecuted for a violation of any provision or provisions of this article if such person shall have been prosecuted and duly acquitted or convicted under the Harrison Act for the same or substantially the same act or acts, omission or omissions, which it is alleged constitute a violation of this article.

SEC. 445. Constitutionality.—If any provision of this article is declared unconstitutional or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the article and the application thereof

to other persons and circumstances shall not be affected thereby.

Sec. 2. Section 1746 of the penal law as added by chapter 130 to f the laws of 1923, subdivision 11 of section 887 and section 891b of the code of criminal procedure as added by chapter 650 to f the laws of 1926, and any and all acts inconsistent with provisions of this article are hereby repealed.

SEC. 3. Article 22 of the public health law is renumbered article 23.

Inebriates and Drug Addicts—Commitment for Care and Treatment. (Ch. 426, Act March 30, 1927)

[This act revises chapter 27, consolidated laws, and changes the title from insanity law to mental hygiene law. Section 11 provides as follows:]

SEC. 11. Existing article 8 of such chapter is hereby renumbered article 9 and amended to read as follows:

SEC. 201. Commitment of inebriates.-The judge of a court of record in the county or district where an alleged inebriate resides, or a judge of any court of record, may commit such person to any private licensed institution for the insane, in the manner hereinafter provided, upon a proper application and upon the consent in writing of the trustees, signed by their superintendent or executive officer, upon the certificates in writing made, executed, and verified by at least two qualified examiners, as defined by section 19, showing that such person is over the age of 18 years, and is incapable or unfit to properly conduct himself or herself, or his or her affairs, or is dangerous to himself or herself or others by reason of periodical, frequent, or constant drunkenness, induced either by the use of alcoholic or other liquors, or of opium, morphine, or other narcotic or intoxicating or stupefying substance. Such certificate nrust further show that such person is in actual need of special care and treatment, and that his condition is such that his detention, care and treatment in such institution would be likely to effect a cure. Such certificate shall also specifically state the facts and circumstances upon which the judgment of each exam-

Supplement 49 to Public Health Reports, p. 262.
 Supplement 65 to Public Health Reports, p. 150.

iner is based and shall show the result of such examination. It must appear upon the face of such certificate that each examiner executing the same has made a personal examination of the person alleged to be an inebriate and that such an examination has been made within 10 days prior to the application for the commitment.

2. Any person with whom an alleged inebriate may reside or at whose house he may be, or the husband or wife, father or mother, brother or sister, or the child or committee of an alleged inebriate, or the nearest relative or friend available, or an officer of any well-recognized charitable institution or home, or any overseer of the poor of the town, or superintendent of the poor of the county in which such person may be, or the alleged inebriate himself, may apply for an order committing such person to the said licensed private institution for the insane, by presenting a brief petition containing a statement of the facts because of which the application for the order is made. Such petition shall be accompanied by the certificate of the qualified examiners and the consent of the trustees as prescribed in the preceding section. Notice of the time and place of making such application shall be served personally upon the alleged inebriate at least three days before the date therein specified upon which the application will be made. A copy of the petition shall be served with such notice. The judge or justice before whom such application is made shall, in his discretion, direct the service personally or by mail of a like notice upon the husband or wife, father or mother, or next of kin, of such alleged inebriate. At the time and place mentioned in such notice or at such other time or place as the judge or justice may designate, said judge or justice shall proceed to hear the testimony introduced for and against such application, and may examine the alleged inebriate if deemed advisable. Such judge or justice may, in his discretion, require proofs in addition to the petition and certificates of the If, from the facts ascertained upon the hearing, the proofs produced, and the petition and certificates presented, the judge or justice shall determine that such person is an inebriate, or that he is so addicted to the use of opium, morphine, or other narcotic or intoxicating or stupefying substance, and his condition is such that his detention in such institution would promote his interests and improve his health, he shall grant an order committing such person to such institution, to be detained therein for a period not exceeding 12 months, or for such period less than 12 months as may be necessary in the judgment of the physician in charge of such institution for the proper treatment and cure of such person, or until discharge therefrom prior to the expiration of such period, as hereinafter provided. The physician in charge may grant a parole to a patient not exceeding six months.

3. A person committed pursuant to this section or any relative or friend in his or her behalf may within 30 days after any order of commitment is granted as provided in the preceding section apply to a justice of the supreme court other than the justice making the commitment for a review of such order. Such justice shall thereupon cause a jury to be summoned as in the case of the proceedings for the appointment of the committee for an insane person, and shall try the question of the inebriety of such person in the manner provided by law for the proceedings for the appointment of such committee. If the verdict of the jury be that such person is an inebriate, said justice of the supreme court to whom such application was made shall certify that fact and commit such person to the care and custody of the said institution. Proceedings under the commitment shall not be stayed pending an appeal therefrom, except upon an order of a justice of the supreme court made upon notice and after a hearing, containing a provision for such temporary care or confinement of the alleged inebriate as may be deemed necessary. Upon the refusal of a judge to grant an application for the commitment of an alleged inebriate he shall state his reasons for such refusal in writing, and the person making the application may apply to a justice of the supreme court in the manner specified in this section where an application is made in behalf of the alleged inebriate, and a commitment may be had after an appeal by a jury as provided herein.

4. If a writ of habeas corpus be obtained in behalf of a person committed to such an institution, and if it apears at the hearing on the return of such writ that such person may properly be discharged, the judge or justice before whom the hearing is had shall so direct; but if it shall appear that the condition of such person is such as to render further treatment desirable, such person shall be remanded to the care and custody of such institution.

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Communicable Diseases of Animals—Quarantine of Animals or Premises. Untested Cattle—Quarantine in Certain Cases of Premises Where Harbored. (Ch. 214, Act March 21, 1927)

[This act amends section 76 (as amended by ch. 84,21 laws, 1926) of chapter

69, consolidated laws, to read as follows:]

Sec. 76. Quarantine on animals or premises.—The commissioner may order any animal or animals affected with communicable disease or which have been exposed to a communicable disease or which he believes to be suffering from or exposed to a communicable disease to be put in quarantine and may order any premises or farm where such disease exists or shall have recently existed to be put in quarantine, so that no domestic animal shall be removed from or brought to the premises quarantined; and shall prescribe such regulations affecting animals, persons, or property as he may deem necessary or expedient to prevent the dissemination of the disease from the premises so quarantined. Whenever 90 per cent of the herds of cattle or whenever 90 per cent of the total number of cattle in any town or any county have been subjected to the tuberculin test for the purpose of ridding such herds of the disease known as tuberculosis, and the owner of any bovine animal or animals in such town or county refuses or neglects to have such animal or animals tuberculin tested, then the commissioner may order the premises or farm on which such animal or animals are harbored to be put in quarantine, so that no domestic animal shall be removed from or brought to the premises quarantined, and so that no products of the domestic animals on the premises so quarantined shall be removed from the said premises.

Dairy Cattle—Physical Examination—Tuberculin Testing—Disposal of Diseased Animals. (Ch. 213, Act March 21, 1927)

[This act amends section 78 (as amended by ch. 255,22 laws, 1922) of

chapter 69, consolidated laws, to read as follows:]

SEC. 78. Examination of cattle.—The commissioner may cause a physical examination and a tuberculin test to be made by competent veterinarians of dairy cows whose milk is marketed in liquid form or manufactured into butter, cheese, or other food for human consumption. Such examinations and tests may be made as frequently as available funds appropriated will permit, and as conditions, in the opinion of the commissioner, necessitate. An examination and test made by any qualified and approved veterinarian may be accepted by the commissioner. If, from such examination or test, any animal be deemed by the commissioner to be infected with tuberculosis or any other communicable disease or its condition be such as to render it undesirable for the production of milk or a menace to the health of other animals or persons, such animal shall be immediately removed from the herd, slaughtered or otherwise disposed of as the commissioner may prescribe.

Diseased Animals Directed to Be Destroyed—Appraisal. (Ch. 432, Act March 30, 1927)

[This act amends section 83 of chapter 69, consolidated laws, to read as

follows:]

Sec. 83. Appraisal of diseased animals.—Each animal directed to be slaughtered shall be appraised at its market value. The appraiser shall deliver to the owner copy of his appraisal certificate. If the owner is dissatisfied with the amount of the appraisal, he may, within 10 days after the delivery of the copy of appraisal certificate make written application for the appointment of a referee to the county judge of the county in which the appraisal took place or to a supreme court justice of the judicial district of which the county is a part, whereupon such judge or justice shall appoint as a referee a competent judge of the value of dairy and beef cattle. The referee so appointed shall, within five days after being notified of his appointment, take the oath of office and proceed to determine the value of the animal. The determination shall be reduced to writing and be signed and acknowledged by the referee and filed by him with the commissioner, and a copy delivered to the owner. The decision shall describe the animal and shall set forth its market value as

Supplement 65 to Public Health Reports, p. 151.
 Supplement 47 to Public Health Reports, p. 151.

determined by the referee. The value so determined shall be final. The referee shall be paid in the same manner and at the same rate that appraisers of condemned animals are paid. Appraisers and referees may administer oaths and examine witnesses for the purpose of determining the value of animals to be appraised.

Equine and Bovine Animals Ordered Destroyed-Indemnity for. (Ch. 215, Act March 21, 1927)

[This act amends subdivision 6 (as added by ch. 362,36 laws, 1925) of section

88 of chapter 69, consolidated laws, to read as follows:]

6. No indemnity shall be paid unless the animal, if an equine, shall at the time ordered destroyed have been within the State of New York for at least 12 months; and if a boyine shall at the time ordered destroyed have been within the State for at least six months, except that in the discretion of the commissioner, indemnity may be paid for a bovine which has not been within the State six months, provided that the animal at the time of entry into the State was accompanied by a tuberculin-test chart, authenticated by the chief livestock sanitary official by whatever name known of the State from which the animal was brought, showing that the animal had originated in a herd under State and Federal supervision, and that such herd, including the animal in question, had been subjected to a tuberculin test under the regulations of the accredited herd plan and had passed such test negatively within one year preceding the order of destruction.

Bovine Animals Reacting to Tuberculin Test-Sale. (Ch. 17, Act February 3, 1927)

[This act amends section 1764 (as added by ch. 56,24 laws, 1926) of the penal

law to read as follows:1

Sec. 1764. Unlawful sale of tuberculous cattle.—A person who knowingly sells, except under the supervision of the commissioner of agriculture and markets, any bovine animal in which tuberculosis shall have been indicated as a result of the tuberculin test is guilty of a felony.

Marriage Records—Filing with State Department of Health. (Ch. 231, Act March 22, 1927)

[This act amends section 19 (as amended by ch. 635,25 laws 1926) of chapter

14, consolidated laws, to read as follows:]

SEC. 19. Records to be kept by town and city clerks.- * * On or before the 5th day of each month the said town or city clerk, excepting the city clerk of the city of New York, shall file in the office of the State department of health the original of each affidavit, statement, consent, license, and certificate filed with or made before him during the preceding month. He shall not be required to file any of said documents with * * * the State department of health until the license is returned with the certificate showing that the marriage to which they refer has been actually performed.

Supervisor of Embalming and Undertaking-Appointment, Powers, and Duties. Embalmers and Undertakers—License. (Ch. 691, Act April 6, 1927)

[This act amends sections 290, 292, 293, and 294 and subdivision 5 of section 295 (all as amended by ch. 48, laws 1927) of chapter 45, consolidated laws, to read as follows:1

SEC. 290. Supervisor of embalming and undertaking.—The State commissioner of health shall appoint a supervisor of embalming and undertaking, who subject to the supervision, direction, and control of the commissioner shall exercise the powers and perform the duties of the department and commissioner under this article.

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Supplement 59 to Public Health Reports, p. 351.
 Supplement 65 to Public Health Reports, p. 151.
 Supplement 65 to Public Health Reports, p. 151.

Sec. 292. Examination questions and appointments for examinations.—For the purpose of providing for and securing uniform examination throughout the State, and requiring a proper standard of qualification for all candidates the State department of health shall prepare examination questions for the thorough examination of applicants for license as embalmers, in accordance with the rules and regulations made, adopted and approved as hereinbefore prescribed. Said examination questions shall pertain to embalming, sanitation and disinfection. For the purpose of examining applicants for license as embalmers the said State department of health shall appoint the times and places for holding examinations, which examinations shall be held at least once in each six months. Such appointment shall be made with due regard to the convenience of applicants and the public service. Said State department of health shall also prescribe the mode and manner of such examinations and

appoint the examiner to conduct the same.

Sec. 293. Application for license and examination.—Every person desiring to engage in the business or practice of embalming within the State of New York shall make a written application to the State department of health for an examination for an embalmer's license, accompanying the same with the application fee of \$5, and with a certificate of some reputable person that said applicant is more than 21 years of age, is of good moral character, and has obtained a common-school education, and with evidence satisfactory to the State commissioner of health that the applicant has served an apprenticeship or otherwise acquired necessary training and experience in embalming, whereupon the State commissioner of health shall issue to said applicant a permit to enter any examination held pursuant to the provisions of this article. At the close of every such examination the permit and the questions submitted and the answers made thereto by the applicant shall be forthwith delivered by the examiner conducting such examination to the State department of health. The commissioner of health shall cause them to be examined and a record to be made stating in detail the result of the examination of each candidate. Such record shall embrace all the examination papers, questions, and answers thereto, and shall be kept for a period of two years for reference and inspection among the public records of the State department of health and may be destroyed at the expiration of such period.

Sec. 294. Duty of State commissioner of health concerning issuance of licenses.—The State commissioner of health shall cause licenses to be issued under seal of the department to those applicants who shall, in his judgment, be duly qualified to practice embalming of human dead bodies in the State of New York upon said applicant paying an examining and licensing fee of \$10. Said license, when issued, shall be recorded and such record shall be open to public

inspection.

5. Any other person desiring to engage in the business and practice of undertaking shall make a written application to the State commissioner of health for an undertaker's license. The application shall be accompanied with the certificate of two reputable persons, not related to the applicant, that the applicant is over 21 years of age, is of good moral character, and has at least a commonschool education, and with evidence satisfactory to the State commissioner of health that such applicant has served an apprenticeship or otherwise acquired necessary training and experience in undertaking. The application shall also by accompanied with the payment of a fee of \$5. The State commissioner of health shall issue to the applicant a permit to enter any examination for the license provided for in this subdivision. Upon the applicant's passing a satisfactory examination in sanitation, disinfection, preparation, and care of human dead bodies for burial or transportation, and in the laws and health regulations applicable to the care, interment, and cremation of the dead, the commissioner shall issue to said applicant, on payment of a further fee of \$10, a license to engage in the business and practice of undertaking.

Sanitary Districts for Sewage Disposal—Establishment, Management, Powers, and Duties—Issuance of Bonds—Tax. (Ch. 303, Act March 24, 1927)

SECTION 1. Short title.—This chapter shall be known as the sanitary district law.

Sec. 2. Territory included.—Whenever contiguous territory containing one or more centers of population, regardless of form of incorporation or lack of incorporation, shall be so situated that the construction of a joint outlet sewer

and a plant or plants for the treatment of sewage will be conducive to the preservation of the public health, this territory may be incorporated as a sanitary district. It is provided, however, that no territory located more than 3 miles from the limits of a city or incorporated village or from the center of an unincorporated village having a population of 500 or more can be included in such a district.

SEC. 3. Petition for election .- One hundred or more legal voters resident of the proposed sanitary district may petition a justice of the supreme court of the judicial district in which the proposed sanitary district or a major portion thereof is located to submit the proposition of organizing a sanitary district to a vote of the electors residing in that district. The petition shall contain a description of the proposed district and shall be accompanied by a map drawn to scale showing the boundaries of the proposed sanitary district, together with the limits of any incorporated cities or villages and the centers of population of any unincorporated villages which are included in said district. The execution of the petition by an elector shall be acknow.edged by him or it may be proved by the oath of a witness, who shall swear that he knows the electors and that the petition was signed by the electors in the presence of the witness.

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Sec. 4. Action on petition.—Upon the receipt of such a petition the supreme court justice shall set a date for a public hearing thereon. The hearing shall be held within 60 days after the receipt of the petition and shall be advertised by posting a notice in four of the most public places within the proposed district at least 21 days prior thereto and by publishing a notice in a newspaper published within the proposed district or having a general circulation therein, once in each of the three weeks immediately preceding the week in which the hearing is to be held. All interested persons, officials, residents, voters, taxpayers, property owners, or other persons or corporations in any way affected by the granting of said petition shall be heard on any questions dealing with the location of the boundaries of the district. No questions dealing with the advisability of forming the district are to be heard at this time. Following the public hearing, the justice shall fix the boundaries of the district as proposed or modify the boundaries as will best serve the public need.

SEC. 5. Election .- The justice shall then call an election within 60 days following the date of the hearing, at which the question shall be submitted to the voters residing within the boundaries of the proposed sanitary district as fixed by the justice as to whether the district shall be incorporated or not. election shall be advertised in the same manner as herein required for adverasing the public hearing. The proposition shall be submitted substantially

in the following form:

For the sanitary district. Against the sanitary district.

A majority of the votes cast shall decide the matter. The election shall be managed and the vote canvassed in the same manner as in an election to fill a county office. If the territory included in the district is in more than one county, the returns shall be made and certified to the justice by the responsible county authorities, and he shall compile the vote. If the majority are in favor of incorporating the sanitary district the justice shall within 30 days following the date of the election issue a determination to that effect which shall contain a description of the sanitary district, and he shall file a certified copy of said determination with the county clerk in each county of which the whole or portions may be included within said sanitary district.

SEC. 6. Appointment of commission, organization, employees.—Within 30 days following the date of the election, the justice shall also appoint three commissioners to administer the affairs of the sanitary district and to be known as the sanitary district commission. The said commissioners shall be vested with the management of the affairs of the sanitary district. Each commissioner shall be a legal voter and taxpayer, resident of the sanitary district, and shall subscribe to an oath to serve the district. It is provided, however, that not more than two commissioners shall be residents of any one city, incorporated village, or unincorporated community, if more than one city, incorporated village, or unincorporated community is included in the district. The first three commissioners shall be appointed for one, two, and three year terms, respectively, beginning with the date of appointment and thereafter one commissioner shall be appointed each year to serve a 3-year term. A vacancy occurring in the office of a commissioner shall be filled by appointment for the unexpired term.

SEC. 7. Commission, organization, employees.—The commissioners shall elect a chairman and vice chairman from among their own members and a secretary, who need not be a commissioner. The commissioners may employ and at pleasure discharge such engineering, professional, and other assistants as may be needed and incur such other expenses as may be found necessary within the amounts available therefor by annual budget appropriations. The commissioners shall receive no compensation for their services, but such commissioners and employees of the commission shall be paid their actual and necessary expenses in the performance of their official duties. Such commissioners may adopt a seal for the commission and two of the commissioners shall constitute

a quorum for the transaction of business.

Sec. 8. Duties of commission.—The sanitary district commission is hereby authorized and directed to prepare maps, plans, specifications, estimates for any structure or structures required to provide for the safe disposal of the sewage of the sanitary district and to let contracts for, supervise the construction and maintenance or the enlarging or remodeling of such structures and to carry on such other activities as may be required by this law or considered necessary to perform the duties herein prescribed. It is intended that the commissioners construct and maintain main sewers and sewage-treatment works in order to provide a satisfactory outlet for any municipal subdivision which may, at any future time, connect submain and lateral sewers to it. It is provided, however, that said commissioners may undertake the construction of submains or laterals as agents for cities, towns, or villages when officially requested so to act and when the cost of such work is to be borne by local assessments against the prop-

erty benefited.

SEC. 9. Petition for bond issues .- The sanitary district commission may. from time to time, petition the board of supervisors, or the several boards of supervisors where the whole or parts of more than one county are included in the sanitary district, to issue bonds in amounts to be set forth in said petition, to pay for the construction of all or any part of a sewerage system to serve the district. In the event that more than one county is included in the district, the commission is authorized to apportion the amount to be raised by each county as nearly as may be in proportion to the benefits which property in each county will derive therefrom. Before fixing and determining said apportionment of the bond issue, the commission shall advertise and hold a public hearing, at which the boards of supervisors of the various counties, property owners, and any interested persons may appear and be heard. receipt of such a petition from the commission of a sanitary district established under this law, the board of county supervisors receiving the same shall set a date for a public hearing and advertise the same by posting the notice in four of the most public places in the county, at least 21 days prior to the date set for the hearing and by placing a notice in a newspaper published in the county or having a general circulation therein, at least once each week during the three weeks immediately preceding the date set for the hearing. The boards of supervisors shall hear all officials, residents, voters, taxpayers, property owners, or other persons or corporations in any way affected by the granting. modification, or denial of the petition. After said hearing and upon the evidence given thereat, the board shall determine whether it is in the public interest to authorize the bond issue in whole or in part or to deny the same. The said board shall at the same time determine whether all property or property owners in the district are benefited. A signed or certified copy of the determination of the board shall be duly recorded with the county clerk and when so recorded shall be presumptive evidence of the regularity of the procedure in authorizing such bonds. Any interested person aggrieved by said official determination may review the same by certiorari, provided that the application for such order of certiorari is made within 30 days after the date of the recording in the office of the county clerk of a signed or certified copy of such determination. Said determination shall be final and conclusive unless application has been made for review by certiorari within 30 days from the time of filing thereof. No review shall be had unless at the time of application for a certiorari order the interested person seeking the review shall give an undertaking approved by the supreme court or a justice thereof as to form. amount, and sufficiency of sureties that in the event of failure to modify said final determination or order he or they will pay to the board of supervisors making such final determination all such costs and expenses as are incurred by it or him on account of the said certiorari proceedings as shall be determined

by the court. In the event that upon such a review there shall be any modification by the court of said final determination, the court shall direct the modification thereof by order which shall be final and conclusive and said board of supervisors shall cause said order to be recorded in the same place and manner as was the determination appealed from. The sanitary district commission shall not petition for the issuance of bonds in an amount such that the total of unpaid bonds issued on account of the sanitary district shall, at any time, exceed an amount equal to 5 per cent of the assessed valuation of taxable real property within the sanitary district, according to the last preceding completed

assessment roll used as a basis for county taxes.

Sec. 10. Bond issues.—The bonds shall be a charge against the county, shall be of a form and similar to county bonds for other purposes, shall bear interest of not more than 6 per cent per annum, and shall be issued for terms not exceeding 40 years. The money derived from the sale of any bond issue shall be placed to the credit of the commissioners of the sanitary district by the board of supervisors and shall be subject to the order of said commissioners for the purposes for which said bonds were issued. Payments on these bond issues shall be made by the board of supervisors from any funds available for that purpose or by temporary certificates of indebtedness and reimbursed to the county issuing same by taxes to be collected by the county and based on an annual tax assessment roll against real property benefited in the county. The amount of such annual tax shall be sufficient for retiring and paying the in-

terest due on these bonds as hereinafter provided.

SEC. 11. Tax assessments.—The sanitary district commission shall certify to the board of supervisors of the county in which said district is located, or to each of the several boards of supervisors where the whole or parts of more than one county are included in the district, each year at a time to be set by said boards of supervisors, an annual assessment roll which shall be known as the sanitary district sewer tax and shall be collected by the county through the various local town and village tax collectors in the same manner as are county taxes. The total assessment for each year shall be sufficient to provide funds for retiring bonds and paying the interest due on bonds and for maintaining or improving the sewerage system and paying the necessary general expenses of the district. This assessment shall be apportioned against the property in the sanitary district directly or indirectly benefited in proportion as nearly as may be to the benefits derived. The property against which such taxes are levied shall be liable for the payment of said taxes in the same manner as they are liable for town or village taxes. The board of supervisors shall, from taxes so collected, retire bonds and pay the interest due on bonds and shall place all in excess to the credit of the commissioners of the sanitary district to be drawn upon as required for other expenses and charges. The board of supervisors shall also advance from general funds available or by temporary loan such moneys as may be required to pay the expenses of the commission or the salaries of employees or fees of consultants or other expenses which may become due before such taxes are available but which sums shall be reimbursed from such taxes when collected.

Sec. 12. Acquiring property, rights of way.—For the purpose of providing for the safe disposal of the sewage of the sanitary district the commissioners of any such district are hereby authorized to acquire by purchase or by condemnation proceedings any lands and rights of way and easements. Said trustees are also authorized to install and maintain sewer in public streets, roads, or highways, provided due care is taken to protect existing structures, to facilitate traffic movement during construction, and to restore the surface of said streets, roads, or highways to their original condition as soon as practi-

cable.

SEC. 13. Passing rules and regulations.—The commissioners of any sanitary district established under this law are hereby authorized to promulgate from time to time and enforce such rules and regulations as may seem necessary governing the use of the whole or any parts of sewerage systems under their control.

Sec. 14. If any clause, sentence, paragraph, section, or part of this chapter shall be adjudged by any court of competent jurisdiction to be invalid, such

judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Sewer Districts in Towns—Establishment or Extension—Construction or Extension of Sewer System. (Ch. 640, Act April 4, 1927)

[This act amends section 230 (as amended by ch. 507, laws 1911) of chapter

62, consolidated laws, to read as follows:]

SEC. 230. Town board may establish sewer system; petition.—The town board of any town on the petition of owners of real property in a proposed district, or in a proposed extension of an existing district, representing more than one-half in value of the taxable real property therein as appears by the last preceding completed assessment roll; or in any town in the county of Westchester upon the petition of a majority of the resident owners of taxable real property in a proposed district, or in a proposed extension of an existing district, may establish a sewer system outside of an incorporated village or city or extend the boundaries of an existing district and the sewer system therein accordingly. The petition must describe the proposed district, or proposed extension of an existing district, and state the maximum amount proposed to be expended in the construction of such sewer system or extension. Each petitioner shall state opposite his name the assessed valuation of the real property owned by him in such district, or extension of an existing district, according to the last preceding completed assessment roll. The petition must be signed by the petitioners and proved or acknowledged in the same manner as a deed to be recorded, and if it be a petition to extend an existing district and the sewer system therein shall, in addition to the foregoing provisions, be approved in writing by the sewer commissioners of such district. There shall be annexed to and presented with such petition a map and plan of the proposed sewer system, or extension, with specifications of dimensions and connections and outlet or sewage disposal works prepared by a competent engineer at the expense of the petitioners. The petitioners may, however, present to the town board with such petition, map, plan, and specifications, a statement, verified by one of the petitioners having personal knowledge of the correctness thereof, showing the amount of the actual cost of them of said map, plan, and specifications and the cost of the acknowledgments of the signatures to such petition, and by whom paid, which said amount, if found by the town board to be just and reasonable, and if the said town board shall make one of the orders as provided by section 231 of this chapter, shall be and become a part of the expense of construction. and shall be included in the first tax levy therefor, and shall be refunded to the person or persons by whom paid, as shown by the aforesaid statement, by the supervisor of the town, who shall take a receipt therefor.

At any time after the town board has made an order establishing such district, or extending an existing district, the maximum amount proposed to be expended in the construction of such sewer system in said district, or extension, may be increased by a petition of owners of real property in said district or extension, representing more than one-half in value of the taxable real property therein, as appears by the last preceding completed assessment roll, setting forth the additional amount proposed to be expended in excess of the maximum amount set forth in the petition upon which the said district or extension was established. Such petition must be signed and proved or acknowledged in the same manner as the petition for the establishment of said sewer district or extension, and shall be filed in the office of the town clerk. Every petition made as provided in this section shall contain a statement conspicuously printed thereon as follows: "The cost of construction and maintenance of such sewer system or extension, as the case may be, shall be assessed, from year to year, by the sewer commissioners to be appointed, upon the taxable property within the sewer district or extension in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom." Any petition made as herein provided shall be legal for all purposes herein, although some of the petitioners therein may have signed and acknowledged the same before this section, as

hereby amended, takes effect.

Sewer Districts in Towns—Issuance of Bonds for Construction of Sewer System—Tax. (Ch. 647, Act April 4, 1927)

(This act amends sections 237 (as amended by ch. 716,36 laws, 1926) and 248 (as amended by ch. 178,27 laws, 1924) of chapter 62, consolidated laws, to read as follows:]

Sec. 237. Apportionment of local assessment for construction.—The sewer commissioners shall prepare and file in the office of the town clerk a map and plan of such district, or extension, which shall show the highways and the several parcels of land therein. The commissioners shall estimate the cost of construction of the whole or any part of such sewer system and report the estimated cost thereof to the town board, which town board shall thereupon, at the request of said sewer commissioners, cause certificates of indebtedness to be issued, the same to be a town charge, the proceeds of which certificates shall be applied in payment of the cost of the whole or such part or portion of such sewer system as is so requested by said sewer commissioners, and at any time after the total cost of such construction or portion thereof has been ascertained by the sewer commissioners, they shall report the total cost of the whole or any part thereof to the town board, and any time thereafter the town board shall direct the issue and sale of bonds for the amount of the cost of construction as so reported to said board by the said commissioners, which said bonds shall be a town charge, and unless the whole amount of the indebtedness represented thereby is to be paid within five years from their date they shall be so issued as to provide for the payment of the indebtedness in such equal annual installments, the interest thereon to be paid semiannually, as said town board may prescribe, the first of which shall be payable not more than five years from their date: Provided, however, That if the amount of such equal annual installments would be such that all the bonds could not be issued in denominations of \$500 or \$1,000, then the amount of bonds maturing in the first year or in the last year, or both, may be increased or diminished, as the case may require, in order that the remainder of the bonds may be issued in denominations of \$500 or \$1,000 as shall be determined by the town board. Town bonds issued under the authority of this article shall be signed by the supervisor and attested by the town clerk. All moneys received upon the sale of such bonds shall be paid to the supervisor of the town in which said district, or extension, may be located, and shall either be paid out and disbursed by him on the written order or orders of the sewer commissioners, or the whole amount of the moneys received by him upon such sale shall be paid over by him to said sewer commissioners upon their written order to that effect.

In case said moneys shall remain in the possession of the supervisor, he shall execute to said sewer commissioners an official undertaking in such sum and with such sureties as the sewer commissioners shall direct and file the same with the sewer commissioners. The cost of such undertaking shall be a charge against said district payable from the funds so provided for said district. The supervisor shall receive 1 per cent upon all moneys paid out by him under such written order or orders, to be audited by the town board in the same manner as claims against the town, but such claims shall be chargeable against and paid out of the funds of such district in the possession of the supervisor. In case said sewer commissioners require the payment of the whole of said moneys to them as above provided the supervisor shall be entitled to retain therefrom 1 per cent of the moneys paid over to said sewer commissioners. In case such moneys shall be paid over to said sewer commissioners, they shall select one of their members as treasurer, who shall furnish an official undertaking to the town, in such sum and with such sureties as may be required by the town board, and file the same with the town clerk. The cost of such undertaking shall be a charge against the district. Indebtedness heretofore or hereafter incurred and obligations or bonds heretofore or hereafter issued by a town under the provisions of this section shall not be subject to any limitations prescribed by any other law and shall not be included in determining the amount of the indebtedness which a town may incur for other town purposes under any other provision of law. In the month of July in each year the town board shall notify the sewer commissioners of the amount to become due for principal and interest during the ensuing year on the bonds so issued. The sewer commissioners shall forthwith proceed to assess such amount on the

Supplement 65 to Public Health Reports, p. 154.
 Supplement 51 to Public Health Reports, p. 232.

lands within such district, or extension of an existing district, in proportion as nearly as may be to the benefit which each lot or parcel will derive therefrom. After making such apportionment, said commissioners shall forthwith serve on each landowner a notice of at least 10 days of the completion thereof and of the filing of such map and plan, and that at a specified time and place a hearing will be had to consider and review the same. Such notice must be served upon said landowners personally or by mailing the same to their last known respective addresses or by publishing the same once each week for two weeks, in a newspaper which circulates in said district, or by either or any of said methods. The commissioners shall meet at the time and place specified to hear objections to such apportionment, and may modify and correct the same. The sewer commissioners upon the completion and correction of such apportionment shall forthwith file the same in the office of the town clerk, and shall give notice of the filing of such completed and corrected apportionment in the manner provided for by section 39 of the tax law as to towns. The apportionment shall then be deemed final and conclusive unless an appeal is taken therefrom, as hereinafter provided, within 15 days after the filing thereof. The town board shall present to the board of supervisors at its annual meeting, a statement of such apportionment as so corrected and filed, showing the amount due, or to become due, for principal and interest during the ensuing year, on the bonds issued under this article; each lot or parcel liable to pay the same, and the amount chargeable to each. The board of supervisors shall levy such sums against the property liable, and shall state the amount of the tax in a separate column in the annual tax roll under the name "sewer tax." Such tax when collected shall be paid to the supervisor and be by him applied in payment of the bonds. An unpaid assessment shall be collected in the same manner and shall subject the land and landowner liable therefor to the same interest, burdens, and penalties, as other town taxes in arrears.

The validity of the town bonds issued under this article shall not be depend-

The validity of the town bonds issued under this article shall not be dependent on or affected by the validity or regularity of the proceedings taken thereunder for the establishment or enlargement of any of such district or for the construction of the sewer system therein or in any extension thereof, unless the validity of such bonds be questioned in a suit, action, or proceeding

commenced prior to the issuance of the bonds.

SEC. 248. Improvements; how paid for.—After the board of sewer commissioners have received the bids, they must ascertain the total cost of constructing said laterals, including the fees of the engineer and inspectors. They shall then report to the town board of the town wherein said sewer system is located, to which report there shall be attached a copy of the plans and specifications for such improvement and the estimated cost of the improvement as determined by the sewer commissioners, which shall be filed in the office of the clerk of said town, and the town board shall direct the issue of certificates of indebtedness and sale of bonds for the aggregate amount of the cost of said improvement as provided in section 237 of this act, and the principal and interest on said bonds shall be apportioned upon the property fronting upon said street, streets, or portion thereof referred to and mentioned in said petition in the same manner as the original cost of construction of the sewer system is directed to be apportioned upon the property within the district, and the sewer commissioners shall have the same control and make the same rules and regulations in connection with the lateral, laterals, or portions thereof so constructed as they may enforce from time to time in reference to the sewer system within said district, and the cost of maintaining the same shall become a part of maintaining the entire sewer system and be apportioned in the same manner. After the money is obtained for the construction of said lateral, laterals, or portions thereof, the commissioners shall then enter into a contract for the construction of the same, which contract shall be entered into in the same manner as the contract referred to in reference to the construction of the entire system.

Sewer Districts in Towns—Maintenance, Repair, and Use of Sewer System. (Ch. 304, Act March 24, 1927)

[This act amends section 243 (as amended by ch. 144, laws, 1921) of chapter 62, consolidated laws, to read as follows:]

Sec. 243. Expense of maintenance, how raised.—After the sewer system is constructed it shall be maintained by the commissioners, and the cost of such maintenance shall be a charge upon the sewer district: Provided,

however. That in a case where the boundaries of any such district are coteriminous with the boundaries of the town outside of an incorporated village or city all work required in connection with the maintenance of the sewer system may be performed by, under, or through the superintendent of highways. In case of an emergency the sewer commissioners shall present to the town board an estimate of the amount of money required by said commissioners to take care of such emergency and to repair the said system and thereupon the town board shall formally pass upon such emergency and they may authorize the borrowing of money by certificates of indebtedness for the purpose of defraying the cost of repairing said system as requested by the sewer commissioners. Said certificates shall be paid at such time as the town board may determine. In July of each year, the sewer commissioners shall present to the town board an estimate of the amount of money required by said commissioners to meet the expenses of maintaining the sewer system for the ensuing year. The town board shall formally pass upon such estimate and approve, or correct and approve, the same. The sewer commissioners shall thereupon assess the amount of the estimate as so approved, and corrected, on the lands within their district, in proportion, as nearly as may be, to the benefit which each lot or parcel will derive therefrom, and shall give the same notice thereof, and shall correct and file such apportionment in the same manner, and shall give the same notice of the filing of such corrected apportionment, as is provided for in section 237 of this chapter. An appeal may be taken from such corrected apportionment within the same time, and the procedure thereupon shall be the same as specified in sections 238 to 242, both inclusive, of this chapter, except that the fees of the commissioners appointed by the county court to readjust the apportionment made pursuant to this section shall be a charge upon the sewer district, and shall be included in the expenses of maintenance. Whenever an apportionment is to be made to meet an installment of principal and interest on the bonds issued pursuant to section 237 of this chapter, any proceedings for the correction, review or readjustment thereof shall be consolidated with the like proceedings, if any, with respect to the apportionment made as provided in this section. The town board shall present such estimate to the board of supervisors at its annual meeting, with a statement of each property or parcel liable for the same and the amount chargeable to each. The board of supervisors shall levy such sums against the property liable and shall state the amount of tax in the annual tax roll under the name "sewer tax," with the sewer tax to be raised for payment of bonds as provided in section 237 of this chapter, and after such bonds shall have been entirely paid in a similar column headed "sewer tax." This tax for maintenance, when collected, shall be paid to the supervisor of the town and by him paid to the sewer commissioners to meet the expense of maintenance of the sewer system. An unpaid assessment under this section shall be collected in the manner provided for in section 237 of this chapter. The sewer system as so constructed, or as hereafter added to or changed, shall be under the charge and control of the sewer commissioners, under whose supervision it shall be used by property owners, and no person shall enter into, open, or interfere with or use said sewer system except under the inspection and direction of said sewer commissioners and after formal permission shall have been given by said commissioners. The sewer commissioners shall adopt rules and regulations to govern the maintenance and use of the sewer system and shall therein fix the amount of fees that shall be chargeable to individuals or property owners who may wish to enter or use the sewer system, which fees shall be sufficient in amount to pay for the cost of inspection of such entry or entries. Any person violating any provisions hereof and interfering with, entering or using said sewer system without obtaining such permission shall be guilty of a misdemeanor and liable to punishment accordingly.

Sewer Districts in Towns—Enlargement of Sewage-Disposal Plant. (Ch. 233, Act March 22, 1927)

[This act adds the following section to chapter 62, consolidated laws:]
Sec. 243-a. Enlargement of existing sewer disposal plants.—In the event that
in any sewer district the sewer disposal plant of any system of sewers constructed pursuant to the provisions of this article shall become of insufficient
capacity to meet the needs of the district, and the State commissioner of health

orders or approves the enlargement of such sewer disposal plant, and determines that such improvement is necessary to preserve the public health, such enlargement, alteration or addition to the sewer disposal plant may be constructed by the sewer commissioners. Upon the approval of the plans of such improvement by the superintendent of public works and State commissioner of health, the sewer commissioners shall file an estimate of cost of such enlargement, alterations, and additions, including engineering, legal, and other incidental expenses, and call a hearing on 10 days' notice on the question whether the cost of such improvement shall be raised in one installment as other maintenance charges upon the district are raised, or whether bonds shall be issued payable in the same manner that bonds for the construction of a sewer system in a sewer district are payable. Said notice shall be published in such newspaper as the sewer commissioners may determine and posted in three places in the district 10 days before the hearing. The notice shall recite the order or approval of the State commissioner of health and the total estimated cost of such improvement. After such hearing the sewer commissioners shall determine the manner of financing such improvement and may petition the town board setting forth the order of the State commissioner of health and an itemized statement of total cost, and requesting the issuance of town bonds, and thereupon the town board shall direct the issuance of town bonds to pay the cost of such improvement. Said bonds shall mature in not exceeding 25 annual installments and shall not exceed in amount the total estimated cost of the improvement, and no annual installment shall be more than 50 per cent in excess of the smallest prior installment, and in other respects said improvement shall be made and said bonds shall be payable, sold and issued and assessments levied as now required by law in case of the construction of a sewer system in a sewer district, and the levy of assessments and the issuance of bonds to pay the cost thereof.

If the sewer commissioners determine to raise such amount in one installment, the town board shall borrow the necessary amount on short-term notes

to be paid when the assessment is collected.

Certain Sewer Districts in Towns—Enlargement or Improvement of Sewer System—Powers and Duties of Sewer Commissioners. (Ch. 702, Act April 6, 1927)

[Section 1 of this act adds the following sections to chapter 62, consolidated

SEC. 248-a. Enlargement or improvement in certain towns.—After the establishment of a sewer district and the construction of a sewer system therein, as provided by this article in a town situated in a county adjoining a city of the first class, the sewer commissioners thereof with the consent and approval of the town board, may upon the adoption of a map and plan therefor by the town board of the town submit to the electors of such sewer district owning any real property therein, at a special meeting, a proposition or propositions to enlarge or improve the sewer system in such district.

The sewer commissioners shall give notice to the time and place of such meeting by publishing a notice once in each week for four consecutive weeks

in two newspapers published in such district or town.

But if no newspaper shall then be published therein, the said notice shall be posted in at least 20 of the must public places at least 20 days before the

date of such meeting.

The map and plan shall be prepared by a competent engineer, which map and plan shall be filed as prescribed in section 233 for the filing of the map of the original district and a copy thereof shall be filed with the sewer commissioners.

If the proposition or propositions be carried by a majority of the votes cast thereat, the determination shall be authority to the commissioners to carry out the directions thereof. All the provisions of this article in relation to contracts for the construction of the original sewer system in such district and the issue and sale of bonds therefore and the payment of bonds shall apply to the enlargement of such sewer system as authorized by this section.

Sec. 248-b. Supervision and extension of sewer system.—A sewer system in a sewer district shall be under the control and supervision of the board of

²⁸ See Laws 1927, chapter 287, for another new section numbered 248a,

sewer commissioners. The board shall keep the system in repair and may from time to time extend the trunks and laterals within the district, or improve, or perfect the existing system, provided that the expense thereof to be raised by taxation shall not in any one year exceed 1 per cent of the total assessed valuation of the district.

The board of sewer commissioners may also contract in the name of the district for the use of the sewage-disposal plants of an adjoining district, for

a term not to exceed five years.

Upon the request of the board of sewer commissioners the town board may authorize the borrowing of money by certificate of indebtedness for the purpose of defraying the cost of improving or extending the sewer system in the manner above provided. Such certificates shall be paid at such time as the town board may determine.

SEC. 2. Section 178 of such chapter, as added by chapter 129 of the laws of 1919 and amended by chapter 651 of the laws of 1920, is hereby repealed.

Water and Sewer Systems—Connections with, in Villages. (Ch. 226, Act March 21, 1927)

[Section 1 amends section 227 (as amended by ch. 398, laws, 1922) of, and sections 2 and 4 add sections 227a and 278a to, chapter 64, consolidated laws, to read as follows:]

SEC. 227. Connections with mains.—Supply pipes connecting with mains and used by private owners or occupants shall be laid and kept in repair at their expense, as in this section or in other sections of this act provided. Such pipes can only be connected with the mains by the permission and under the direction of the board of water commissioners and in accordance with their rules and regulations. A member of the board or its authorized agent may at any time enter a building or upon the premises where there is a supply pipe or pipes

and make necessary examinations.

The board of water commissioners may cause a notice to be published in the official newspaper of the village requiring the owners or occupants of any and all property fronting or abutting on any street or portion thereof in or upon which any public water main or distributing pipe is about to be laid or is being laid or has been laid by the said board to make and lay connection pipes to and from the water mains or distributing pipes in said street or any portion thereof in front of each separate piece of property and where directed by said board, within such time and in such manner and under such inspection as said board shall prescribe, and whenever any such owner or occupant shall have made default in making such connections with said water mains or distributing pipes opposite the lands and premises owned or occupied by him as directed in and required by said printed notice therefor in the manner and within the time specified the said board shall have power and authority to so make, extend, and complete the same to the property line of the lands and premises so owned or occupied opposite thereto and in front thereof, and to connect the same with any existing connecting pipes in front thereof, and the actual expense thereof, including all labor done and materials used in doing and completing the same, shall be assessed by the trustees of the village upon each separate piece of property opposite which the same shall be done and completed and shall be a lien and liens on said premises and lots of land, respectively, and the same shall be collected in the same manner as other local assessments or assessments for local improvements as provided by the special charter of the village or the general village laws of the State, as the case may be, and when so collected the amount thereof shall be paid into the water fund of the village.

Bonds or certificates of indebtedness may be issued for the aggregate amount

of such assessments.

SEC. 227-a. Alternative provision for connections with mains.—The board of commissioners shall have authority to determine the manner and conditions under which said supply pipes shall be installed and shall have authority to install and maintain said supply pipes and to adopt such uniform service charges as they deem just for each supply pipe so connected with the mains or distributing pipes and extending to the street or right-of-way lines, regardless of the location of said water mains or distribution pipe within said streets or rights-of-way lines and regardless of the soil, rock, or other physical conditions within said streets or rights-of-way lines.

Such uniform service charge as the board may adopt shall be any percentage of the cost up to but not exceeding the average actual cost of installing such supply pipes as before described. Such percentage of the average actual cost of installing such supply pipes as may not be charged shall be borne by the village.

The said board shall have authority to apply such percentage of the average actual cost of installing such supply pipes as the village might pay to such other supply-pipe connection for the same property or properties as in the judgment

of the board might be advisable.

The board of water commissioners may cause a notice to be published in the official newspaper of the village, and if so published shall serve on the owners or occupants a printed notice notifying such owners and occupants of any and all property fronting or abutting on any street, right of way, or portion thereof, in or upon which any public water main or distributing pipe is about to be laid or is being laid or has been laid by said board that connection pipes to and from the water mains or distribution pipes in said street, right of way, or any portion thereof in front of each separate piece of property and where directed by said board shall be installed by said board in such manner and under such conditions and at such prices as said board shall prescribe.

The said board shall have authority to assess the actual cost of such connection pipes or such service charge as may be determined and the actual cost of maintaining the same upon the property so connected. Such assessment shall be made as provided in section 168 of this chapter. Should the owner of said property so connected fail to pay the cost or charge thereof, the said board shall have authority to add such cost or charge to the annual tax on such property and collect the same, therewith, and when so collected, the

amount thereof shall be paid into the water fund of the village.

Bonds or certificates of indebtedness may be issued by the board of trustees

for the aggregate amount of the cost of such connections.

Sec. 278-a. Alternative provisions for sewer connections.—The board of sewer commissioners shall have authority to determine the manner and conditions under which said sewer laterals shall be installed and maintained and shall have authority to install and maintain said sewer laterals and to adopt such uniform service charges as they deem just for each sewer lateral so connected with the public sewer and extending to the street or right-of-way lines, regardless of the location of said public sewer within said streets or rights-of-way lines and regardless of the soil, rock, or other physical conditions within said streets or rights-of-way lines.

Such uniform service charge as the board may adopt shall be any percentage of the cost up to but not exceeding the average actual cost of installing such sewer laterals as before described. Such percentage of the average actual cost of installing such sewer laterals as may not be charged shall be borne by the

village

The said board shall have authority to apply such percentage of the average actual cost of installing such sewer laterals as the village might pay to such other sewer lateral connection for the same property or properties as in the

judgment of the board might be advisable.

The board of sewer commissioners may cause a notice to be published in the official newspaper of the village, and if so published shall serve on the owners or occupants a printed notice notifying such owners and occupants of any and all property fronting or abutting on any street, right of way, or portion thereof, in or upon which any public sewer is about to be laid or is being laid or has been laid by said board, that connection pipes to and from the sewer in said street, right of way, or any portion thereof in front of each separate piece of property and where directed by said board, shall be installed by said board in such manner and under such conditions, and at such prices as said board shall prescribe.

The said board shall have authority to assess the actual cost of such sewer laterals or such service charge as may be determined and the actual cost of maintaining the same upon the property so connected. Such assessments shall be made as provided in section 168 of this chapter. Should the owner of said property so connected fail to pay the cost or charge thereof, the said board shall have authority to add such cost or charge to the annual tax on such property and collect the same therewith, and when so collected the amount

thereof shall be paid into the sewer fund of the village.

Bonds or certificates of indebtedness may be issued by the board of trustees for the aggregate amount of the cost of such connections.

Lateral Sewer Districts in Certain Villages—Establishment—Construction of Lateral Sewers in. (Ch. 651, Act April 4, 1927)

[This act adds the following section to chapter 64, consol dated laws:] Sec. 264-a. Lateral sewer districts.—In any village having a population in excess of 8,000 as shown by the latest enumeration, village, State, or Federal, one or more lateral sewer districts may be established by the board of sewer commissioners, upon petition, lateral sewers may be constructed, assessments may be levied and said improvement temporarily financed, and bonds of the village may be issued without any election to pay the cost of such improvement, pursuant to the procedure provided in this article applicable to sewer districts in a village embracing the entire territory of a town.

Factories-Required to Be Clean and Sanitary. (Ch. 495, Act March 31, 1927)

[This act amends sections 290 and 291 of chapter 31, consolidated laws, to read as follows:]

SEC. 290. Cleanliness and safety of rooms.—Every room in a factory and every part thereof and all fixtures therein shall at all times be kept in a safe and sanitary condition and in proper repair. No person shall expectorate upon the walls, floors, or stairs of a factory, or of the building in which it is located. Suitable receptacles shall be provided and used for the storage of waste and refuse. The walls and ceiling of the rooms and hallways in every factory shall be kept in a clean condition.

SEC. 291. Cleaniness and safety of buildings.—Every part of a factory building and of the premises thereof and the plumbing therein shall at all times be kept in a safe and sanitary condition and in proper repair. The walls and ceiling of the rooms and hallways in every factory building shall be kept in clean condition.

Swimming Pools—Establishment, Construction, Maintenance, and Operation— Sanitary Requirements. (Reg. Dept. of H., December 14, 1927)

[Chapter X] Regulation 1. Definitions.—The term "swimming pool" as used in this chapter shall mean any swimming pool other than one maintained by an individual for the use of his family or friends, and unless otherwise qualified shall be construed as including both "artificial" and "partly artificial" pools.

The term "partly artificial pool" shall mean a pool formed from a natural body of water which has either so limited a flow of such an inadequate natural circulation that the quality of water must be maintained by artificial means.

The term "artificial pool" shall mean either indoor or outdoor pools which are entirely of artificial construction.

The term "new pool" shall mean an artificial pool constructed after July 1,

REGULATION 2. Permit and revocation.—No corporation, association, or person shall establish, construct, or maintain any swimming pool in any municipality without a permit from the health officer thereof on a form prescribed by the State commissioner of health to be issued subject to such conditions as may be imposed by this code, or by the local board of health. Any such permit may be revoked for cause after a hearing either by the local health officer or by the State commissioner of health.

REGULATION 3. Construction and maintenance.—Every swimming pool shall be so designed and constructed and shall be so maintained and operated as to be clean and sanitary at all times.

REGULATION 4. Circulation.—In new artificial pools inlets for fresh or repurified water and outlets shall be so located and spaced as to secure a maximum dispersion of the inflowing water throughout the pool, and inlets, if at the shallow end, shall not be more than 1 foot below the water line.

REGULATION 5. Dressing rooms.—Dressing rooms shall be so constructed as to facilitate thorough cleaning.

REGULATION 6. Toilets.—Adequate and proper toilet facilities conveniently located for use immediately before entering the pool shall be provided for both sexes at all swimming pools.

REGULATION 7. Shower baths.—Adequate shower bath facilities shall be provided at all artificial pools.

REGULATION 8. Sanitary quality of pool water.—(a) Bacteria count: Not more than 10 per cent of samples covering any 3-month period shall con-

tain more than 500 bacteria per cubic centimeter when incubated for 24 hours

at 37° C. on an agar or litmus lactose agar medium.

(b) Tests for B. coli group: Not more than two out of five 1-cubic-centimeter samples collected on the same day, or not more than three of any ten consecutive 1-cubic-centimeter samples of the water collected at times when the pool is in use shall show a positive partially confirmed test or bacteria of the B. coli group; provided that when—

(c) Chlorination of the pool water is carried out by means of chlorine or its compounds in sufficient quantity to maintain at all times the pool is in use an excess of not less than 0.2 parts per million of available or free chlorine

the standards required by regulations 8-a and 8-b may be disregarded.

(d) Analytical methods: All chemical and bacterial analyses provided for in this regulation shall be made in accordance with the procedures recommended in the Standard Methods of Water Analysis of the American Public Health Association.

(e) Cleanliness: Visible dirt on the bottom and visible scum or floating mat-

ters on the surface of the pool shall be removed within 24 hours.

REGULATION 9. Bathing load limits.—(a) Where quality of water depends on dilution: The total number of bathers using a pool during any period of time shall not exceed 20 persons for each 1,000 gallons of clean water added to the pool during that period. The term "clean water" as used above may be interpreted to mean new clean water used to refill the pool, new clean water used to replace loss by splashing or during cleaning, water taken from the pool and returned after effective filtration and disinfection, or any combination of such waters.

(b) When the quality of water depends on intermittent disinfection: At any pool where the addition of disinfectant is not continuous during the bathing period the total number of persons permitted to use the pool between any two consecutive disinfections shall not exceed seven persons for each 1,000 gallons of water in the pool and each disinfection shall be sufficient to insure that the bacterial quality of the water shall conform at all times to the limits stated

in regulation 8.

REGULATION 10. Operator or attendant and operating records.—Each swimming pool shall be under the personal supervision of an operator who shall keep a daily record of the number of persons using the pool, the volume of the new water added, the time of cleaning the pool, and the quantity of disinfectant used. At all pools where artificial circulation, filtration, or any chemical treatment is used, a full daily record must also be kept of the actual length of time pumps and filters are in operation, also when each filter is washed or cleaned, when and how much chemical is used or added, when the bottom and sides of pool are cleaned, and the results of all excess chlorine tests.

REGULATION 11. Care of suits and towels.—All bathing suits and towels shall be washed with soap and water, rinsed, and thoroughly dried after each use.

REGULATION 12. Attendant.—Every swimming pool shall be under the supervision of a competent attendant who shall require a careful observance of

sanitary regulations.

REGULATION 13. Prepool shower.—All persons using an artificial swimming pool shall be required to take a cleansing shower bath, in the nude, to use soap, and to rinse off all soap suds before entering the pool.

REGULATION 14. Pollution of pool prohibited.—Urinating, expectorating, or

blowing the nose in any pool is prohibited.

REGULATION 15. Communicable disease.—No person having sore or inflamed eyes, mouth, nose, or ear discharges, or any communicable disease, shall use any pool.

REGULATION 16. Spectators.—Persons not dressed for bathing shall not be allowed on walks immediately adjacent to artificial pools, and bathers shall

not be allowed in places provided for spectators.

REGULATION 17. Posting regulations.—Placards reciting regulations 13 to 16 inclusive shall be posted conspicuously at the pool or inclosure and in the dressing rooms and offices of all swimming pools.

Barber Shops, Hairdressing Establishments, Manicuring Parlors, and Beauty Parlors—Sanitary Requirements. (Reg. Dept. of H., June 29, 1927)

[CHAPTER VII] REGULATION 4. Barber shops, hair dressing establishments, manicuring and beauty parlors.—This regulation shall apply to all barber

shops, hair dressing establishments, manicuring parlors, and beauty parlors, and the aforementioned terms shall include all premises or portion thereof wherein the business of shaving, clipping, cutting, trimming, singeing, shampooing, massaging, manicuring, dressing, adorning, or beautifying the human hair, face, scalp, or hands is conducted for fee, charge, or hire.

Every person in charge of any such establishment shall keep such establish-

ment at all times in a clean and sanitary condition.

No operator shall be employed in any such establishment who is affected with syphilis in the infective stage or with any other infectious disease in a communicable stage or with any communicable affection of the skin.

The hands of the operator shall be washed with soap and water before serv-

ing each customer.

Hair brushes and combs shall be kept clean at all times.

Shaving mugs and brushes and finger bowls shall be thoroughly rinsed with hot water after each use thereof.

There shall be a separate clean towel for each customer. The head rest shall be covered by a clean towel or paper for each customer.

Alum or other material used to stop the flow of blood shall be applied in

powdered or liquid form only.

After the handling of a customer affected with any eruption, or whose skin is broken out, or is inflamed or contains pus, the hands of the attendant shall be disinfected immediately. This shall be done by thorough washing with soap and water, followed by rinsing in alcohol (70 to 80 per cent) or in a solution of corrosive sublimate (1 to 1,000), or by the use of some equally efficient disinfectant.

The instruments used on a customer shall be made safe immediately after such use by washing with soap and water and dipping for one minute in a 10 per cent solution of commercial formalin or dipping for three minutes in alcohol (70 to 80 per cent), or by the use of some equally efficient disinfectant.

No cup or brush which has been used in the shaving of a customer affected with any of the above infectious disorders of the face shall be used for another customer unless the cup shall have been emptied and cleansed by boiling water and furnished with fresh soap, and the brush has been sterilized by a three minutes' exposure to alcohol (70 to 80 per cent), or to a corrosive sublimate solution (1 to 1,000), or by the use of some equally efficient disinfectant.

No powder puff, sponge, or neck duster shall be used in any such estab-

lishment

The use of soap in common or for more than one person is prohibited in any

such establishment.

The person in charge of every barber shop, hair-dressing establishment, manicuring parlor, and beauty parlor shall post conspicuously in such establishment a copy of this regulation.

[Regulation 5 (manicures and chiropodists) and regulation 6 (copies of regulations 4 and 5 to be posted) were repealed, to take effect August 1, 1927.]

NORTH CAROLINA

Marriages—Execution of Health Certificate Required of Applicants for License. (Ch. 240, Act March 9, 1927)

SECTION 1. That chapter 296, public laws of 1925, be, and the same is hereby, repealed.

SEC. 2. That section 2500 (b), third volume of the consolidated statutes,

be and the same is hereby amended so as to read as follows:

2500 (b) Certificate executed by what physician.—The certificate referred to in the preceding section shall be executed by any reputable physician li-censed to practice medicine and surgery in the State and who shall reside within the county in which said license to marry shall be applied for; or by the county health officer of such county, whose duty it shall be to examine such applicants and issue such certificates without charge: Provided. Where a city or town is located in two or more counties, then a physician who practices medicine and surgery in the State and lives in said city may examine applicants and execute such certificates in either county in which said city may be located. Such physician residing without the county in which the marriage is to take place may issue such certificate when the clerk of the superior court of the county in which such physician resides certifies under his hand and seal that the person who signs such certificate is a reputable physician and surgeon, actually engaged in the practice of his profession. This clause, however, shall not be interpreted as applying to physicians residing in the town or city located in two counties: Provided, further, That any physician who practices medicine and surgery in the State and lives within a radius of 3 miles of the county line in which the license is applied for may examine and execute such certificate.

County Tuberculosis Hospitals—Establishment, Management, Operation, and Maintenance. (Ch. 208, Act March 9, 1927)

SECTION 1. That the board of commissioners for each county in the State shall have power to cause to be held in their county an election wherein this act shall be submitted to the qualified voters of said county for their approval or disapproval. Said election shall be in all respects as nearly as may be held and conducted conformably to the rules for the election of members of the general assembly. The said board of commissioners shall provide registration and polling books, and shall publish due notice of said election. They shall cause a new registration of voters to be made for said election, and shall publish due notice of the time and place for such registration to be made, and of the time when challenges of such registered voters may be made, all of which shall conform as near as may be to the general laws regulating the election of members of the general assembly. At the election those who are in favor of this act and the issuance of bonds and the levying of taxes as herein provided shall vote a ticket on which shall be printed or written or partly printed or partly written the words "For county tubercular hospital," and those who oppose this act and said bonds and tax shall vote a ticket on which shall be printed or written or partly printed or written the words "Against county tubercular hospital." If in said election a majority of the voters of said county registered for said election vote for said county tubercular hospital, then this act and the following provisions thereof shall thenceforth be in full force and effect in said county; but if in said election a majority of the said registered voters shall not vote for said county tubercular hospital, then the provisions of this act shall be in no further force and effect in said county.

Sec. 2. In the event said election shall have been carried in favor of said county tubercular hospital, the board of commissioners for the county in which election shall have been held shall within 30 days after a declaration of such

¹ Supplement 59 to Public Health Reports, p. 356.

result of such election appoint a board of trustees for said county tubercular hospital, consisting of 12 residents of said county, 3 of whom shall be physicians regularly practicing in said county, and 3 others of said trustees shall be women. Said trustees shall be appointed in four classes, one class to serve for one year, another for two years, another for three years, and the other for four years, (thereafter as their successors are appointed or elected; the term of office of such successors, except unexpired vacancies, shall be for four years). The successors of such trustees shall be appointed by the chairman of the board of commissioners for said county, the county superintendent of health, the clerk of the superior court of said county, and the mayor of the municipality constituting the county seat of said county acting jointly, and by a majority vote. Vacancies in the offices of such trustees shall be filled by the same body

of public officers last mentioned.

Sec. 3. These said trustees shall within 10 days after their appointment meet and qualify by taking the oath of civil officers, and organize their board by the election of one of their members as chairman and one as secretary, and by the election of such other officers as may be necessary. The treasurer of the county for which said trustees are appointed shall be treasurer of the said board of trustees, and such treasurer shall receive and pay out all moneys under the control of said board as directed by it, but shall receive no compensation from said board, and no trustee shall receive any compensation whatsoever for services performed as such trustee. Said board of trustees shall make and adopt such by-laws, rules, and regulations for their own guidance and the government of the said hospital as it may deem proper, not inconsistent with this act. It shall have the control of the expenditure of all moneys collected to the credit of the hospital, including the proceeds from the sale of such bonds, hereinafter mentioned, and said board of trustees shall have the supervisions [sic], care and custody of the grounds, buildings, and rooms purchased, constructed, leased, or set apart for the purposes of such hospital, and they may employ such assistants, including a superintendent and matron and such other employees as they may deem necessary for the operation of said hospital, in so far as funds available for such purposes will permit.

Sec. 4. That the board of commissioners for any county in which this act shall have been approved as aforesaid shall issue bonds of said county in an amount not to exceed the principal sum of \$250,000 for the purpose of purchasing a site, constructing the necessary buildings, and equipping said hospital with the necessary equipment. Such bonds shall be payable at such time or times not to exceed forty years from the date thereof, and at such place or places and bear such rate of interest not to exceed 6 per cent per annum and be of such denominations as the board of commissioners for said county may in its discretion determine. Said bonds shall be sold by the said board of commissioners at public or private sale at not less than par, as said board may determine. Said bonds shall be signed by the chairman of the said board of commissioners, and bear the impressed seal of the said board, attested by the clerk of the said board; the interest coupons shall bear the lithographed or engraved facsimile of the signature of the said clerk of said board. The proceeds of the sale of said bonds as received shall be at once deposited by the said board of commissioners with the treasurer of said county, to the credit of said board of trustees for said county tubercular hospital 2 the official name of said board of trustees shall be "Board of trustees for the County Tubercular Hospital," the name of the county for which said board is appointed to be inserted in the blank space.

SEC. 5. The board of commissioners for any county issuing bonds under this act shall annually levy an ad valorem tax on the taxable property in such county sufficient to pay the interest on said bonds so issued, and provide a sinking fund for the payment of principal thereof, as the same may become due. Said board of commissioners shall further levy annually an additional tax not exceeding 5 cents [sic] on the dollar on taxable property in said county, for the purpose of providing funds sufficient when supplementing other income of said hospital for the necessary maintenance and operation of said hospital. Said board of commissioners for such county shall also annually levy a sufficient tax to provide a sum equivalent to that expended out of moneys raised by taxes for the maintenance of said hospital, which funds so to be provided

²The following should be a new sentence, but is here printed as it appears in the session laws.

shall be disbursed by the board of commissioners for such county in the care of indigent residents of said county ill with diseases other than tuberculosis

in other hospitals in such county.

Sec. 6. That the hospital established under this act shall be for the benefit of the residents of the county in which it is situated who are or become sick with tuberculosis, but every such resident admitted to said hospital who is not a pauper shall pay to such board of trustees of said hospital, or such other officers as it may designate, reasonable compensation for occupancy and attendance within said hospital, the amount thereof to be fixed by said board of trustees, and in the event a patient in said hospital is not able to pay in full, charges for treatment, but can pay some part thereof, arrangement may be made accordingly by said board of trustees in its discretion and as it deems right and just.

SEC. 7. The powers conferred by this act are conferred in addition to and not in substitution for the existing powers of counties. Any county may at its option proceed either under this act or under any other act conferring similar

powers upon such county.

County Tuberculosis Hospitals—Elections Concerning Establishment and Maintenance. (Ch. 34, Act February 21, 1927)

[Sections 1 and 2 of this act repeat the amendment made to section 7280, consolidated statutes, by chapter 75,3 laws of 1925, the 1925 amendment apparently having been overlooked by the legislature.]

[Section 3 amends section 7281, consolidated statutes, to read as follows:]

7281. Manner of holding election.—The county commissioners at the next general election or a special election shall cause to be placed at each voting precinct in the county a ballot box marked "County tuberculos s hospital," and cause to be printed and distributed official ballots labeled "For county tuberculosis hospital," and official ballots labeled "Against county tuberculosis hospital," said election to be governed by the laws of the State. The county commissioners shall, if they propose to levy the tax for a maintenance fund as hereinbefore providedd, also cause to be placed at each voting precinct in the county a ballot box marked "Maintenance of county tuberculosis hospital," and cause to be printed and distributed official ballots labeled "For maintenance of county tuberculosis hospital," and official ballots labeled "Against maintenance of county tuberculosis hospital," such election to be held as hereinbefore provided.

Tuberculous Prisoners—Transfer to Hospital for Tuberculous Prisoners. (Ch. 127, Act March 7, 1927)

[Th's act amends section 7220 (d), consolidated statutes, to read as follows:] 7220 (d). The board of directors of the North Carolina Sanatorium for the Treatment of Tuberculosis, upon receiving such reports, shall examine into the condition of these prisoners or convicts, and, if it is determined that such condition justifies it, shall direct their transfer from either county authorities, if a county prisoner, or the State prison, if a State prisoner, to the sanatorium herein provided. The cost of such transferred; if it is a county prisoner, shall be paid by the county from which he is transferred; if a State prisoner, the cost shall be paid by the State prison. If a tuberculous prisoner is thus transferred to the sanatorium, th ecounty from which he is sent shall, upon notice from the sanatorium that the prisoner has recovered, or is in such condition that it would be safe to return him to the county, within five days after such notice, send for said prisoner and return him to the county from which he was comm tted. Any failure on the part of the county to send for said prisoner as herein provided after such notice shall render the county liable for the expenses of maintaining the prisoner.

Secretary of State Board of Health-Compensation. (Ch. 143, Act March 7, 1927)

[This act amends that part of section 7053, consolidated statutes, which relates to the compensation of the secretary of the State board of health to read as follows:]

⁸ Supplement 59 to Public Health Reports, p. 358.

He [the secretary] shall receive for his services such yearly compensation as shall be fixed by the board, not to exceed \$8,000, and his actual traveling and hotel expenses when engaged in the work of the board.

Sanitary Districts—Creation, Government, Powers, Operation, and Maintenance. (Ch. 100, Act March 4, 1927)

SECTION 1. For the purpose of preserving and promoting the public health and welfare the State board of health may, as hereinafter provided, create sanitary districts without regard for county, township, or municipal lines: *Provided*, hovever, That no municipal corporation or any part of the territory in a municipal corporation shall be included in a sanitary district except at the request of the governing board of such municipal corporation.

SEC. 2. Such sanitary district shall be incorporated as hereinafter set out.

SEC. 3. Fifty-one per cent or more of the resident freeholders within the proposed district may petition the board of county commissioners of the county in which all or the major portion of the proposed district is located setting forth the boundaries of the proposed sanitary district and the object it is proposed to accomplish. Upon receipt of such petition the board of county commissioners, if the same is approved by them, shall, through its chairman, transmit the petition to the State board of health requesting that the proposed sanitary district be created: Provided, however, That the board of county commissioners before passing upon said petition shall hold a public hearing upon the same and shall give prior notice of such hearing by advertisement to be made by posting a notice at the courthouse door of their county and also by publication in a newspaper published in said county at least once a week for four successive weeks; and in the event such hearing is to be before a joint meeting of the boards of county commissioners of more than one county or in the event the land to be affected lies in more than one county, then in either of such events a like publication of notice shall be made and given in each of said counties.

SEC. 4. The State board of health shall name a time and a place within the proposed district at which the State board of health, through a representative, shall hold a public hearing concerning the creation of the proposed sanitary district. The State board of health shall cause at least 20 days' notice to be given of the time and place of such hearing by publishing this information at least five times in a newspaper or newspapers published in or near the proposed district and having a general circulation therein. In the event that all matters pertaining to the creation of this sanitary district can not be concluded at the hearing, any such hearing may be continued at a time and place named by the

representative of the State board of health.

SEC. 5. If after such hearing the State board of health shall deem it advisable to comply with the request of said petition and that a district for the purpose or purposes therein stated should be created and established, the State board of health shall adopt a resolution to that effect, defining the boundaries of such district and declaring the territory within such boundaries to be a sanitary district. Provided, however, That any industrial plant and its contiguous village shall be included within or excluded from the area embraced within such sanitary district as expressed in the application of the person, persons, or corporation owning or controlling such industrial plant and its contiguous village, said application to be filed with the State board of health on or before the date of the public hearing as hereinbefore provided. Each district when created shall be identified by a name or number assigned by the State board of health.

board of health.

SEC. 6. The State board of health shall cause copies of the resolution adopted creating the sanitary district to be sent to the board or boards of county commissioners of the county or counties in which all or parts of the territory within the district is located, whereupon the said board or boards of county commissioners shall hold a meting or joint meeting for the purpose of electing a sanitary district board of three members, freeholders within the district, which shall thereafter be the governing body of the sanitary district. At this meeting or joint meeting of said board or boards of county commissioners there shall be elected three members of said sanitary district boards [sic] who shall serve until their successors are elected and qualified. At the next general election following said appointment by the board of county commissioners candidates for said district board shall be elected in the primary and elected at said general election as are county officers except that the nomination and election

shall be confined to said district. The members of the board so nominated and elected shall be residents of the district. They shall qualify by taking the oaths of office on the first Monday in December following their election. The term of office shall be two years and until their successors qualify. All vacancies, whether original or not, occurring during the term shall be filled by the board of county commissioners.

of county commissioners.

SEC. 7. When a sanitary district is organized as herein provided the sanitary district board selected under the provisions of this act shall be a body politic and corporate and as such may sue and be sued in matters relating to such sanitary district. In addition, such board shall have the following powers:

1. Under the supervision of the State board of health to acquire, construct, maintain, and operate a sewerage system, sewage disposal or treatment plant, water-supply system, water purification or treatment plant, or such other utilities as may be necessary for the preservation and promotion of the public health and sanitary welfare within the district.

2. To issue certificates of indebtedness against the district in the manner

hereinafter provided.

3. To issue bonds of the district in the manner hereinafter provided.

4. To cause taxes to be levied and collected upon all the taxable property within the district sufficient to meet the obligations evidenced by bonds and certificates of indebtedness issued against the district.

5. To acquire real or personal property and rights of way in the name of the district necessary or convenient for the construction or maintenance of the

works of the district.

6. To employ such engineers, counsel, and other such persons as may be necessary to carry into effect any projects undertaken and to fix compensation thereof.

7. To negotiate and enter into agreement with the owners of existing water supplies, sewerage systems or other utilities as may be necessary to carry into effect the intent of this act.

8. To formulate rules and regulations necessary for the proper functioning

of the works of the district.

SEC. 8. Upon election a sanitary district board shall meet and elect one of its members as chairman and another member as secretary. Each member of the board may receive a per diem compensation of \$5 when actually engaged in the business of the district payable from the funds of the district. The board may employ a clerk, stenographer, or such other assistance as it may deem necessary and may fix the duties and compensation thereof.

A sanitary district board may at any time remove any of its employees and

may fill any vacancies however arising.

SEC. 9. When, in the opinion of the sanitary district board, it is necessary to procure real estate, right of way, or easement for any of the improvements authorized by this act, they may purchase the same or, if the board and the owner or owners thereof are unable to agree upon its purchase and sale or the amount of damage to be awarded therefor, the board may condemn such real estate, right of way, or easement, and in so doing the ways, means, and method and procedure of chapter 33 of the consolidated statutes entitled "Eminent domain" shall apply. Section 1714, consolidated statutes, shall not, however, be applicable to such condemnation proceedings. In the event the owner or owners shall appeal from the report of the commissioners, it shall not be necessary for the sanitary board to deposit the money assessed with the clerk, but it may proceed and use the property to be condemned until the final determination of the action.

SEC. 10. Whenever a corporation or the residents of any locality within the sanitary district shall desire a water supply, sewerage system, or any part thereof and the sanitary district board shall deem it inadvisable or impracticable at that time, due to remoteness from its general system or other cause, for the sanitary district to build such system, such corporation or residents may nevertheless build and operate such system at its or their own expense but it shall be constructed and operated under plans, specifications, and regula-

tions approved by the district board.

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Sec. 11. Upon the election of any sanitary district board it shall become the duty of the board to employ competent engineers to make a report or reports on the problems of the sanitary district, which report or reports shall be prepared and filed with the sanitary district board. Such report or reports shall embrace the following:

1. Suitable comprehensive maps showing the boundaries of the sanitary district and in a general way the location of the various parts of the work that is proposed to be done and such information as may be useful for a thorough understanding of the proposed undertaking.

2. A general description of existing facilities for carrying out the objects of

the district.

A general description of the various plans which might be adopted for accomplishment of the objects of the district.

4. General plans and specifications for such work.

General descriptions of property it is proposed to be acquired or which may be damaged in carrying out the work.

6. Comparative detail estimates of cost for the various construction plans.

7. Recommendations.

SEC. 12. The report or reports filed by the engineers shall be given careful consideration by the sanitary district board for adoption of a plan which they approve. If deemed advisable by the sanitary district board they may hold a public hearing, giving due and ample notice of the time and place thereof, for the purpose of considering objections to the carrying out of the work according to the plan adopted by them.

SEC. 13. After final approval of the plan adopted the sanitary district board

shall adopt a resolution setting forth:

1. A general outline of the work that is proposed to be done.

2. A reference to the engineer's report for details as to the plan adopted.

3. The amount of bonds that the board proposes to issue to cover the cost of doing the proposed work.

4. The form and term of the proposed bonds and the interest rate thereon. The resolution shall, immediately after adoption, be published at least three times in one or more newspapers having a general circulation within the district.

Sec. 14. Following the adoption of the resolution by the sanitary district board the said board shall call upon the board or boards of county commissioners in the county or counties in which the district or any portion thereof is located to name election officers, set date, name polling places, and cause to be held an election within the district on the proposition of issuing bonds to provide funds for doing the work as set forth in the resolution adopted by the sanitary board. If at such election the majority of the registered voters vote in favor of incurring the indebtedness as proposed, the district board shall issue and sell bonds for the amount set forth in the resolution. Should the proposition of issuing bonds submitted at any election as provided under this act fail to receive the required number of votes, the sanitary district board may, at any time after the expiration of six months, cause another election to be held for the same objects and purposes or for any other objects and purposes. The expenses of holding bond election shall be paid from the funds of the sanitary district.

The board of commissioners of the county in which said sanitary district is located, if wholly located in a single county, may in their discretion at any special election held under the provisions of this act make the whole sanitary district a voting precinct, or may create therein one or more voting precincts as to them seems best to suit the convenience of voters, the said precinct not to be the general election precinct unless the boundaries of the sanitary district are coterminal with one or more whole general election precincts. If said sanitary district is located in more than one county, the election precincts therein shall be fixed by the board of the particular county in which the portion of the

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sanitary district is located.

The said board or boards of commissioners shall provide registration and polling books for each precinct in the sanitary district, the cost of the same to be paid from the funds of the sanitary district. The notice of the election shall be given by publication at least three times in some newspaper published or circulated in the district. It shall set forth the boundary lines of the district and the amount of bonds proposed to be issued. The first publication shall be at least 30 days before the election. At the first election after the organization of the sanitary district, a new registration of the qualified voters within the same shall be ordered and notice of such new registration shall be deemed to be sufficiently given if given by publication once in some newspaper published or circulated in said district at least 30 days before the close of the registration books. The notice of registration may be considered one of the three notices

required of the election. Time of such registration shall as near as may be conform with that of the registration of voters in municipal elections as provided in section 2657 of the consolidated statutes. The published notice of registration shall state the days on which the books shall be open for registration of voters and the place or places on which they will be open on Saturdays The books of such new registration shall close on the second Saturday before the election. The Saturday before the election shall be challenge day and except as to [sic] otherwise provided in this act such election shall be held in accord-

ance with the law governing general elections.

At the election those who are in favor of the bond issue shall vote a ticket on which shall be printed or written or partly printed and partly written the words "For bond issue," and those who oppose shall vote a ticket on which shall be printed or written or partly printed and partly written the words "Against bond issue." After the election and after the vote has been counted, canvassed, and returned to the board or boards of county commissioners, the election books shall be deposited in the office of the clerk of the superior court as polling books for the particular sanitary district involved. At any subsequent election, whether upon the recall of an officer as provided in section 21 of this act or for an additional bond issue in the particular district, a new registration may or may not be ordered as may be determined by the board of

county commissioners interested in said election.

Sec. 15. The sanitary district board shall, subject to the provisions of this act, and under competent legal and financial advice prescribe by resolution the form of bonds and the interest coupons attached thereto, the denominations of the bonds and the date and place at which they shall become payable. These bonds shall not be sold at less than par nor bear an interest rate in excess of 6 per cent. The bonds shall be signed by the chairman and secretary of the sanitary district board, and the seal of the board shall be affixed thereto. In the event coupon bonds are issued, the coupons thereof may be signed by the secretary alone, or he may have lithographed, engraved, or printed thereon a facsimile of his signature. The proceeds from the sale of such bonds shall be placed in a bank in the State of North Carolina to the credit of the sanitary district board and payments therefrom shall be made by vouchers signed by the chairman and secretary of the sanitary district board. Said bank, however, shall be required to execute the proper bonds, giving as surety thereto some surety company authorized to do business in North Carolina, conditioned to account for and pay out upon said vouchers all funds so deposited in said bank. The penalty of said bond shall not be less than the amount of money so deposited in said bank.

Sec. 16. Whenever the proceeds from the sale of bonds issued by any district as in this act authorized shall have been expended or contracted to be expended and the sanitary district board shall determine that the interest or necessity of the district demands that additional bonds are necessary for carrying out any of the objects of the district, the board may again proceed as in this act provided to have an election held for the issuance of such additional bonds and the issue and sale of such bonds and the expenditure of the

proceeds therefrom shall be carried out as hereinbefore provided.

SEC. 17. Upon the creation of a sanitary district and after each assessment for taxes thereafter the boards [sic] or boards of county commissioners of the county or counties in which the sanitary district is located shall file with the sanitary district board the valuation of assessable property within the district. The sanitary district board shall then determine the amount of funds to be raised for the ensuing year in excess of the funds available from surplus operating revenues set aside as provided in section 20 of this act to provide payment of interest and the proportionate part of the principal of all outstanding bonds, and to retire all outstanding certificates of indebtedness.

The sanitary district board shall determine the number of cents per \$100 necessary to raise the said amount and so certify to the board or boards of county commissioners. The board or boards of county commissioners in their next annual levy shall include the number of cents per \$100 so certified by the sanitary district board in the levy against all taxable property within the district, which tax shall be collected as other county taxes are collected and every 90 days the amount of tax so collected shall be remitted to the sanitary district board and deposited by said board in a bank in the State of North Carolina separately from other funds of the district. Said bank, however, before

said funds are deposited in it is to execute a proper surety bond as described in section 15 for the proper care and disbursement of and accounting for said

SEC. 18. A sanitary district board may issue certificates of indebtedness in anticipation of the levying and collection of taxes to cover any or all expenses incurred by the board incident to the preparation of the engineers' report, holding of bond election, or any other expenses incurred by the board. The amount of any certificates of indebtedness issued by the sanitary district board shall be included in the bond issue as hereinbefore provided. In the event that the election held within the district for the purpose of issuing bonds to provide funds for carrying out the objects of the district results in the defeat of said bonds the sanitary district board shall cause to be levied and collected a tax sufficient to pay such certificates of indebtedness or any other indebtedness incurred by the sanitary district board. Such tax shall be levied and collected in the same manner as provided in section 17.

Sec. 19. The sanitary district board shall retain competent engineers to provide detail plans and specifications and to supervise the doing of the work undertaken by the district. As determined by the sanitary district board, such work or any portion thereof may be done by the sanitary district board purchasing the material and letting a contract for the doing of the work or by letting a contract for furnishing all the material and the doing of the work.

Any contract shall be let to the lowest responsible bidder submitting a sealed bid in response to a notice calling for such bid and published at least five times over a period of at least 15 days in a newspaper or newspapers having a general circulation within the county or counties in which the district is located.

Any material to be purchased by the sanitary district board, the cost of which is in excess of \$1,000, shall be purchased from the lowest responsible bidder in the same manner as above provided.

All work done shall be in accordance with the plans and specifications prepared by the engineers in conformity with the plan adopted by the sanitary district board.

Sec. 20. A sanitary district board shall immediately upon the placing into service of any of its works apply service charges and rates which shall, as nearly as practicable, be based upon the exact benefits derived. Such service charges and rates shall be sufficient to provide funds for the proper maintenance, adequate depreciation, and operation of the work of the district. Any surplus from operating revenues shall be set aside as a separate fund to be applied to the payment of interest on bonds, to the retirement of bonds, or both. As the necessity arises the sanitary district board may modify and adjust such service charges and rates from time to time.

SEC. 21. A petition carrying the signature of 25 per cent or more of the legal voters within a sanitary district requesting the removal from office of one or more members of a sanitary district board for malfeasance or misfeasance in office may be filed with the board of county commissioners of the county in which all or the greater portion of a sanitary district is located. Upon receipt of such petition the board of county commissioners, or in the event that the district is located in more than one county, a joint meeting of the boards of county commissioners shall be called, shall adopt a resolution calling an election, naming election officials, naming date, and giving due notice thereof for the purpose of removing from office the member or members of the sanitary district board named in the petition. In the event that more than one member of a sanitary district board is subjected to recall in an election, the names of each member of the board subjected to recall shall appear upon separate ballots. If in such recall election a majority of the legal votes within the sanitary district shall be cast for the removal of any member or members of the sanitary district board subject to recall, such member or members shall cease to be a member or members of the sanitary district board, and the vacancy or vacancies so caused shall be immediately filled as hereinbefore provided. The expense of holding a recall election shall be paid from the funds of the sanitary district.

Sec. 22. A right-of-way in, along, or across any county or State highway, street, or property within a sanitary district is hereby granted to a sanitary district in case such right-of-way is found by the sanitary district board to be necessary or convenient for carrying out any of the work of the district. Any work done in, along, or across any State highway shall be done in accordance with the rules and regulations of the State highway commission.

Sec. 23. In all elections provided for in this act the returns of such elections shall be made to the board or boards of county commissioners in which the sanitary district lies, and said board or boards of county commissioners shall canvass and declare the results of said election, and this determination of said board or boards of county commissioners upon the result of said election shall be by them certified to the sanitary district board for its action thereupon.

SEC. 24. The boundaries of any sanitary district may, with the approval of the sanitary district board, be extended under the same procedure as herein provided for the creation of a sanitary district: Provided, however, That 25 per cent or more of the resident freeholders within the territory proposed to be annexed institute by petition the proceedings for annexation, and that 10 per cent of the freeholders resident in the district to be annexed are authorized to petition for an election upon the subject of annexation, and if such petition is filed with the sanitary district board such election shall be held within the territory to be annexed under the rules and regulations hereinbefore provided.

Certain Residences—Sewer Connections, Septic Tanks, or Sanitary Privies Required. (Ch. 244, Act March 9, 1927)

[This act amends section 7130, consolidated statutes, to read as follows:] 7130. Sewerage, septic tank, or approved privy required, when.—No person shall maintain or use a residence, located within 300 yards of another residence, that is not provided with sewerage, or with septic tanks approved by the State board of health, or with a sanitary privy which comples in construction and maintenance with the requirements of this article: Provided, however, That nothing in this law shall curtail the right of a municipality to require and enforce immediate sewer connection: Provided, That plans and specifications for construction of privy buildings prescribed by the State board of health by authority of this article shall be construed as recommendatory, but not mandatory as to exact size, architecture, and dimensions of same: Provided further, That privy buildings as used in this act shall not be construed to include any item pertaining to the exclusion of flies from excreta.

Hotels—Admittance of Dogs to Rooms Used for Sleeping Purposes in, Unlawful. (Ch. 67, Act March 2, 1927)

SECTION 1. That chapter 42, volume 1, of the Consolidated Statutes of North Carolina, be amended by adding after section 2254 the following section:

"That it shall be unlawful for any innkeeper or guest owning, keeping, or who has in his care a dog or dogs, to permit such a dog or dogs admittance to any bedroom or rooms used for sleeping purposes in any inn or hotel."

Sec. 2. Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall pay a fine not to exceed \$50 or be imprisoned not more than 30 days.

Bodies of Animals and Fowls Dead of Disease—Disposal. (Ch. 2, Act January 27, 1927)

[This act amends section 4488, consolidated statutes, to read as follows:] 4488. Disposal of carcasses of animals.—It shall be unlawful for any person, firm, or corporation to permit knowingly the bodies of animals or fowls dying of disease of any kind to remain unburied or unburned on the land which such person, etc., owns, rents, or has charge of in any capacity, for the space of 24 hours after the death of said animal or fowl; and it shall be unlawful for any such person, firm, or corporation to remove said carcasses from the premises over which he shall have charge to the premises of any other person, firm, or corporation, without the written permission of the person having charge of said premises and without burying the same as herein provided; such burying to be of such a depth as to prevent disinterment by prowling dogs.

Abandoned Cemeteries—Removal of Bodies to Other Cemeteries. (Ch. 175, Act March 9, 1927)

Section 1. That when any person, firm, or corporation, owns any land on which is situated any cemetery or burying ground, and where it becomes necessary and expedient in the opinion of the governing body of the county or town in which any such graves are situated to remove said graves, it shall be

lawful for such person, firm, or corporation, after 30 days' notice to the relatives of the deceased persons buried therein, if any are known, and if none are known, then after 30 days' notice printed in some newspaper published in said county where said property lies, and if no newspaper is published in said county, then by posting notice at the courthouse door of said county, to remove said graves to a suitable plot in some other cemetery, due care being taken to protect tombstones and replace them properly so as to leave the graves in as good condition as before removal: *Provided*, That all of said work shall be done under the supervision of the county health officer and the board of county commissioners: *Provided further*, That the conveyance of the land without reservation of the burying ground shall itself be evidence of the abandonment of the same sufficient for the purposes of this act.

NORTH DAKOTA

Communicable Diseases—Reports of Cases—Investigation by Local Health Officer—Quarantine—Sale, Delivery, Handling, or Destruction of Food—Removal of Articles from Infected Premises—Carriers—Incubation Periods-Placarding-Isolation-Disinfection-Attendance at Schools and Gatherings-Special Restrictive Precautions-Renovation of Infected Premises-Common Carriers—Reports by Local Health Officer to School Authorities— Closing of Schools—Burial—Funerals—Control Measures for Specific Diseases. (Reg. Dept. of H., June 2, 1927)

REGULATION 1. State health officer given discretionary powers.-The State health officer may from time to time, as he shall deem it of the greatest good to the community, modify, omit, or add to the requirements herein prescribed with regard to communicable diseases, and he may require quarantine for other diseases than those mentioned in the following regulations.

REGULATION 2. Diseases designated as "contagious and infectious."—The following diseases are hereby declared to be "dangerous, contagious and infectious diseases" and reportable in this State:

Smallpox, diphtheria, chicken pox, membranous croup, anterior poliomyelitis (infantile paralysis), scarlet fever (scarlatina or scarlet rash), epidemic cerebrospinal meningitis, measles, German measles, whooping cough, mumps, trachoma, actinomycosis, anthrax, Asiatic cholera, erysipelas, tularemia, pulmonary, laryngeal, and other forms of tuberculosis, rabies, ophthalmia neonatorum, syphilis, gonorrhea, chancroid, dysentery (amebic, bacillary), pneumonia, hookworm, encephalitis lethargica, scabies and parasitic skin diseases, epidemic influenza, typhus fever, typhoid and paratyphoid, echinococcus disease, glanders,

leprosy, Vincent's angina.

REGULATION 3. Who shall report diseases—Methods.—(1) All physicians; (2) any person who treats or administers to the sick by whatever method; (3) householders; (4) hotel or lodging-house keepers; (5) nurse; (6) schoolteacher; (7) or any other person or persons treating, nursing, lodging, caring for, or having knowledge of the existence of any communicable reportable disease enumerated in regulation 2 shall immediately report the same to the nearest health officer having jurisdiction, by the quickest means of communication. This report must be followed within 24 hours by a written report on blank forms furnished by the county or city board of health, which shall specify the following particulars; names of patient, age, sex, residence, occupation, diagnosis or disease suspected, probable source of infection, date of exposure, date of onset of the disease, school attended or place of employment, name and address of person making report, and any other available information likely to assist the health officer in the prevention of spread of the disease.

REGULATION 4. All morbidity reports must be made as soon as a clinical

diagnosis is made, but laboratory confirmation is desirable.

REGULATION 5. Weekly record and reports.—Section 1. Each health officer shall keep a record of all reportable diseases occurring in his jurisdiction, showing all of the particulars designated on the original report card. All original report cards shall then be mailed to the State health officer once each week, together with the summary report as specified in section 2 of this regulation.

SEC. 2. Each Saturday at the close of business each county or city health officer shall submit to the State department of health a summarized report of the communicable diseases reported to him during the week. When no cases have been reported during the week a card shall be mailed as usual, the notation "No cases reported" being placed on the face of the card. Report cards shall be supplied by the State department of health.

REGULATION 7. Telegraphic reports.—Health officers shall notify the State health officer by telegram of any unusual outbreak of disease within his

district and of any case of leprosy, bubonic plague, rabies, and anthrax and such other diseases as the State department of health may from time to time

designate

REGULATION 8. Health officer must investigate.—Section 1. When any contagious or infectious disease is reported to a health officer, or when he has reason to suspect that such disease exists within his district, he shall make a thorough investigation, if necessary (any case not reported by a legally qualified physician requires investigation), and if such disease is found to exist he shall take such steps as are required by the laws of the State and by these regulations. If upon investigation the health officer shall find that a disease for which quarantine is required has recently existed on any premises within his district, he shall place such premises under quarantine until the expiration of the incubation period and until such premises have been disdisinfected as required by these regulations.

REGULATION 9. Sale of food forbidden in certain cases.—When a case of diphtheria, encephalitis lethargica, epidemic or septic sore throat, amebic or bacillary dysentery, epidemic cerebrospinal meningitis, typhoid fever, paratyphoid fever, scarlet fever, smallpox, acute anterior poliomyelitis (infantile paralysis), or tuberculosis exists on any farm or dairy producing milk, cream, butter, cheese, garden truck, or other foods, no such foods shall be sold or delivered from such farm or dairy, except under the following conditions:

That such foods are not brought into the house where such case exisits.
 That all persons coming in contact with such foods eat, sleep, and work wholly outside such house.

3. That such persons do not come in contact in any way with such house or its inmates or contents.

4. That said inmates are properly isolated and separated from all other

parts of said farm or dairy, and efficiently cared for; and
5. That a permit is issued by the local health officer. He may cancel this
permit at any time when in his judgment the circumstances and conditions

warrant such action.
6. That the local and State health officer may add other communicable diseases to this list at any time when the severity and other circumstances

surrounding the case seem to justify it.

REGULATION 10. Destruction of foods in certain cases.—When a case of any disease mentioned in regulation 9 exists on any farm or dairy producing milk, cream, butter, cheese, or other foods the State health officer or the local health officer may destroy or order the destruction of any such foods which in his opinion may have been so contaminated as to be a source of danger.

REGULATION 11. Handling of food forbidden in certain cases.—Section 1. No person affected with or suspected of being a carrier of any communicable disease shall handle food or food products intended for sale which are liable to convey

infective material.

Sec. 2. No person who resides, boards, or lodges in a household where he comes in contact with any person affected with any disease mentioned in Regulation 9 shall handle food or food products intended for sale or human consumption.

SEC. 3. No waiter, waitress, cook, or other person of a boarding house, hotel, restaurant, or other place where food is served, who lodges or visits in a household where he comes in contact with any person affected with any disease mentioned in Regulation 9, or is a carrier of any other communicable disease, or is affected himself with such a disease, shall prepare, serve, or handle food for others in any manner whatsoever.

REGULATION 12. Milkmen, grocerymen. etc.—Section 1. Milkmen shall empty milk delivered to premises infected with a quarantinable disease into covered containers placed outside the door of such premises or shall deliver the milk in containers which shall not be used again, but shall be burned as soon as they are emptied. They shall not enter such premises nor remove milk bottles or anything else therefrom until the house has been released from quarantine and disinfected and the bottles have been sterilized by boiling, under the instructions of the health officer.

SEC. 2. Grocerymen and other persons delivering merchandise are forbidden to enter such premises or remove packages or other articles therefrom. Laundrymen are forbidden to enter such premises or to remove any clothing therefrom until such articles have first been boiled or otherwise sterilized under the

instructions of the health officer.

REGULATION 13. Duty of the owners or persons in charge of dairy farms.—It shall be the duty of the owners or persons in charge of any farm or dairy producing milk, cream, butter, cheese, or of one in charge of a creamery or milk station, to report forthwith to the local health officer the name and address and all known facts relating to the illness and physical condition of any person who is affected with or suspected of being a carrier of any communicable disease, who is employed or resides on or in such farm, dairy, creamery, or milk station, or

comes in contact in any way therewith or with its product.

REGULATION 14. Any person suspected of being a carrier of disease that may be spread through his or her bodily execretions or discharges or in any other way shall on request of any health officer of North Dakota submit to the State Department of Health specimens of such bodily execretions or discharges in manner and amount, at such intervals and under such supervision as prescribed by the State Health Officer. If deemed necessary by the local or State Department of Health for the control of spread of infection, supervision of the collection of specimens shall include temporary hospitalization at public expense.

REGULATION 15. The maximum period of incubation for the purpose of these regulations of the following communicable diseases shall be as follows: Chicken pox, 21 days; measles, 14 days; mumps, 21 days; infantile paralysis, 14 days;

scarlet fever, 10 days; smallpox, 21 days; whooping cough, 14 days.

QUARANTINES

REGULATION 16. Quarantine must be established by the health officer or his assistant.—When any contagious or infectious disease for which quarantine is required is reported to any health officer, he shall, in person or through his duly appointed assistant, place the premises where such disease exists under quarantine in the manner prescribed by these regulations.

REGULATION 17. SECTION 1. All diseases where absolute quarantine, modified quarantine, or provisional quarantine is instituted shall be placarded as fol-

lows:

The health officer shall cause to be securely attached to each entrance of the premises under quarantine a placard of a distinctive color not less than 6 by 12 inches in size, upon which is printed the name of the disease and the words "keep out" in letters not less than $2\frac{1}{2}$ inches in height and the words, "This place is quarantined in accordance with law," "By order of the health officer."

SEC. 2. This card must not be removed, defaced, or destroyed by any person except the health officer or his authorized agent and not by him until the premises have been thoroughly disinfected in a manner approved by these regu-

lations.

RECULATION 18. Absolute quarantine.—Section 1. Shall consist in the prohibition of entrance to or exit from the immediate building or rooms occupied by the patient or members of the family, except by physicians, health officers, or in case of death a licensed embalmer, or attendants authorized by the health authorities in charge. If necessary, guards should be employed for the enforcement of this rule. The health officer must prescribe restrictive measures controlling the delivery of the necessities of life. Food containers or other things capable of spreading the disease must not leave the premises until after proper terminal disinfection.

SEC. 2. Absolute quarantine is released only upon permission of the health

officer in charge in accordance with rules and regulations.

SEC. 3. The following diseases require absolute quarantine: Diphtheria or membranous croup, smallpox, chicken pox in adults, infantile paralysis, scarlet fever, epidemic cerebrospinal meningitis, cholera, and plague.

Sec. 4. Any member of the family who can show positive evidence of having had the disease or who has been properly immunized to the satisfaction of the health officer may be released after personal disinfection, but is forbidden to

reenter premises.

REGULATION 19. Modified quarantine (or isolation).—Section 1. Modified quarantine requires the confinement of the patient and the attendants to one apartment or suite of rooms. Members of household or other persons must be excluded from the sick room. Health officers, physicians, and attendants only may have access to the sick room, and in case of death a licensed embalmer. Nothing shall be removed from the sick room until disinfection is undergone.

Sec. 2. Any member of the family who can not show evidence of having had the disease in question or has [not?] been satisfactorily immunized, is strictly

forbidden from attending any public, private, or parochial school, any church or place of amusement or public gathering of any kind unless otherwise stated in these regulations or by written permission of local health officer.

SEC. 3. When in the judgment of the health officer having charge, the circumstances and conditions surrounding each case, modified quarantine is apt to be ineffective, he shall institute an absolute quarantine in such cases.

Sec. 4. Modified quarantine is released only upon permission of the health

officer in charge.

SEC. 5. The following diseases require modified quarantine: Typhoid fever, paratyphoid, whooping cough, measles, septic sore throat, German measles, chicken pox in children, mumps, spotted fever, and lobar pneumonia: Provided, That if the disease is typhoid fever or paratyphoid fever, the members of the family not coming in contact with or attending the patient will not be subject to quarantine as specified in regulations.

NOTE.—"Modified quarantine" and "isolation" are used synonomously in

these regulations.

REGULATION 20. Provisional quarantine.—When any case is reported to a health officer as suspected of being a contagious or infectious disease for which quarantine is required by these regulations, the health officer shall place the premises where such disease exists or is suspected under provisional quarantine in the following manner: A card bearing the words "Provisional quarantine; keep out" printed in letters not less than 21/2 inches in height shall be securely attached to each entrance to the premises and the head of the house instructed that the premises are under provisional quarantine and will remain so until the nature of the disease shall have been determined. If the case proves to be one requiring quarantine, the provisional sign shall be removed and the regular quarantine sign installed. If the case proves to be one not requiring quarantine, the sign shall be removed and the quarantine released.

REGULATION 21. Special restrictive precautions.—Special restrictive precautions by the health officer may require that the patient be prohibited from attending any public gathering or associating freely with other persons. Individual eating utensils, towels, napkins, and clothing may be required for the patient. Toys, books, and anything handled by the patient should not be used by others. Special quarters may be provided and sleeping with other members

of the family prohibited.

The corrective treatment or restrictive measures vary with the nature of the disease and are subject to the judgment of the health officer in charge. Restric-

tive measures are dispensed with only by consent of health officer.

[On] Failure of members of household or patient to comply with modified quarantine or restrictive precautionary measures prescribed by health officer when reasonable or lawful and where in his judgment the health of others is jeopardized thereby he shall institute and enforce absolute quarantine in such cases.

The following diseases may require restrictive measures as specified: Tuberculosis, trachoma, ophthalmia neonatorum, enterocolitis (epidemic), favus, erysipelas, impetigo contagiosa, scabies, influenza, actinomycosis, hookworm, spotted fever, anthrax, rabies, dysentery (amœbic), syphilis, and gonorrhea.

REGULATION 22. Dogs, cats, and other household pets shall not be permitted to enter rooms where communicable disease exists.

DISINFECTION

REGULATION 23. Health officers must supervise disinfection.—All disinfection for a disease requiring any form of quarantine shall be done under the supervision of the health officer or his assistant. All disinfection shall be carried

out in the manner prescribed by these regulations.

REGULATION 24. Concurrent disinfection (bedside disinfection).—Keeping the sick room and patient clean is the most important feature in preventing the transmission of disease. The health officer and attending physician must insist upon an efficient disinfection of the patient's nose, throat, bowel, and bladder discharges, bed and body linen. The attendant's hands, all utensils, and uppliances must be kept disinfected, the floors, woodwork, etc., should be frequently scrubbed with soap and hot water, the room well ventilated, and direct sunlight admitted as much as possible.

REGULATION 25. Fumigation.—Gas fumigation to be effective requires ideal conditions. It may, however, be used by the health officer in charge, provided other methods of disinfection described are also used, but is not compulsory.

REGULATION 26. Terminal disinfection.—Before the release of quarantine, modified quarantine, and restrictive measures the health officer must be satisfied that the patient, members of the family, attendants, and premises are no longer a source of danger to others, and that the following procedure is carried out:

1. Everything having been in contact with the patient or sick room of little

value must be burned.

2. The patient and attendants must take a thorough antiseptic bath and be supplied with a complete change of uninfected clothing.

3. Before removal from patient's room all washable clothing, sheets, dishes, etc., must be immersed in a 5 per cent carbolic acid solution or other equally

potent disinfectant for one-half hour or boiled for one-half hour.

4. Other articles in the room of such a nature that they can not be burned, boiled, or otherwise disinfected should be exposed to the direct rays of the sun for four or five days after thorough cleaning.

5. All floors, woodwork, and furniture, etc., must be thoroughly scrubbed with soap and warm water and wiped over with a 1-1000 bichloride of mercury solution, or otherwise treated in a manner satisfactory to the health officer in charge.

REGULATION 27. Renovation.—When in the judgment of the health officer the circumstances and conditions of premises or nature of the disease seem to warrant it, a thorough renovation shall be required in addition to disinfection by repainting or varnishing, repapering, or calcimining the sick room or entire premises.

REGULATION 28. Approved disinfectant agents.—

1. 1-3000 bichloride solution.

2. Five per cent carbolic acid solution.

3. Lysol, creolin-B. K. in strengths recommended by manufacturers.

4. Chloride of lime and standard chlorine products.

5. Formaldehyde solutions in varying strengths are useful in many cases.

6. Formaldehyde gas and sulphur fumes under certain conditions are effective, but not so in those usually existing. (See regulation 25.)

7. Fresh air and sunshine.

Most of these disinfectants are poisonous and should not be used except under the direction of a physician or after a careful reading of the directions of the manufacturer found on the original container.

REGULATIONS PERTAINING TO COMMON CARRIERS

REGULATION 29. Federal regulation adopted.—All common carriers operating in the State of North Dakota, whether engaged in the interstate or intrastate business, or both, shall comply with the regulations of the United States Public Health Service made and promulgated for the control of common carriers engaged in interstate business, and the regulations made by the said United States Public Health Service are hereby declared to be a part of these regulations of the State Department of Health of North Dakota.

SMALLPOX-CHICKEN POX

REGULATION 30. SECTION 1. Absolute quarantine required.—Whenever a case of smallpox is found to exist the health officer shall immediately place an absolute quarantine upon the premises in a manner prescribed by regulation No. 18.

Sec. 2. Period of quarantine.—Quarantine shall be maintained for a minimum period of 21 days and until desquamation is completed and thorough disinfec-

tion of persons and premises performed.

Sec. 3. Modified quarantine (isolation) of exposed persons.—All persons exposed to smallpox shall be isolated for a minimum period of 14 days from last exposure as prescribed by regulation No. 19, except in such cases where positive evidence is produced of their having had the disease or of having been recently successfully vaccinated as determined by the health officer. Such immune persons may be released and excluded from the quarantined premises after proper personal disinfection, but must not reenter premises after such exclusion.

SEC. 4. Placard. (See regulation No. 17.)

Sec. 5. Concurrent and terminal disinfection required. (See regulation 24-26.)

Sec. 6. Health officers and physicians must state on all reports the type of the disease.

(a) Chicken pox in adults.—When chicken pox exists in adults the same quarantine regulations required in smallpox may be maintained, at the discretion of the health officer.

(b) Chicken pox in children.—In all cases of chicken pox in children, modified quarantine shall be maintained by health officer having jurisdiction for a minimum period of 14 days and until complete desquamation and disinfection.

(c) Concurrent and terminal disinfection required. (See regulation No. 24-26.)

(d) Placard. (See regulation No. 17.)

(e) Exposed persons must be isolated for the period of incubation after last exposure, except adults and children who can give positive evidence of having had the disease. (See regulation 19.)

DIPHTHERIA

REGULATION 31. Section 1. Absolute quarantine required.—Whenever a case or suspected case of diphtheria exists an absolute quarantine must be maintained by the health officer having jurisdiction in a manner required by Regulation 18.

SEC. 2. Period of quarantine.—Quarantine shall be maintained for a minimum period of six weeks or until two negative cultures at three days' interval have been taken, first culture for release not to be taken for 10 days from onset of disease. Culture must be taken from the throat and nasal passage by the health officer or an authorized medical assistant. The bacteriological examination of culture must be done by the State public health labortary, one of its branches, or by some other laboratory approved by the State department of health.

Sec. 3. Isolation of exposed persons.—Persons exposed to diphtheria shall be isolated by the health officer in charge for a minimum of 10 days from the time of last exposure and until a negative culture of secretions from throat and nasal passages is obtained, provided that any such persons who have been properly immunized under the supervision of the health officer in charge may be released from isolation after a negative culture from nasal passages and throat has been reported by an authorized laboratory. Proper pesonal disinfection must be accomplished before release.

SEC. 4. Persons released from quarantine or isolation must not reenter the premises until quarantine or isolation has been removed and premises properly

disinfected.

SEC. 5. Adult members of the family wishing to pursue their occupation may change their residence by permission of the health officer in charge and the

compliance with this regulation. (See section 3.)

SEC. 6. When diphtheria appears in school cultures should be taken from all those who have been exposed or show signs of throat infection. All persons from whom cultures show positive evidence of diphtheria germs shall be excluded from school and isolated until two negative cultures have been obtained as required in section 1 of this regulation.

SEC. 7. Placard. (See Regulation No. 17.)

SEC. 8. Concurrent and terminal disinfection required as described in Regulation 26.

SEC. 9. Every physician and health officer having knowledge of a case or suspected case of diphtheria must obtain laboratory confirmation from an approved laboratory if possible.

EPIDEMIC CEREBROSPINAL MENINGITIS

REGULATION 32. Section 1. Absolute quarantine required.—Whenever a case of epidemic cerebrospinal meningitis is found to exist, absolute quarantine must be immediately instituted as required by Regulation 18.

Sec. 2. Period of quarantine.—The period of quarantine shall be not less than three weeks.

Sec. 3. Isolation of exposed persons.—Any person exposed to epidemic cerebrospinal meningitis must be isolated for a period of 10 days from last exposure or until microscopic examinations of the throat and nasal secretions show and the health officer is satisfied that danger to others no longer exists.

SEC. 4. Placard. (See Regulation No. 17.)

Sec. 5. Concurrent and terminal disinfection. (See Regulations 24 to 26.)

SEC. 6. All cases of meningitis must be considered epidemic until the health officer is satisfied that it is not.

SCARLET FEVER, SCARLATINA, SCARLET BASH

REGULATION 33. SECTION 1. Absolute quarantine required.—Whenever a case of scarlet fever is found to exist the health officer shall immediately place an absolute quarantine upon the premises in the manner prescribed by Regulation 18.

Sec. 2. Period of quarantine.—Quarantine shall be maintained for a period of 21 days and until desquamation is completed or until glandular enlargements and discharging ears have subsided or until examination of nose, throat, and other secretions by an authorized laboratory show an absence of scarlatinal streptococci and until a thorough disinfection of persons and premises.

Sec. 3. Isolation of exposed persons.—All persons exposed to scarlet fever shall be isolated for a period of 10 days from date of last exposure as prescribed by regulation 19, except in such cases where positive evidence is produced to satisfy the health officer that they have previously had the disease and are no longer susceptible; that they have received a proper dose of an approved immunizing serum; and that a laboratory examination of secretions from throat and nasal passages shows the absence of scarlatinal streptococci. Such immune persons may be released from the quarantined premises after proper disinfection, if the officer in charge is satisfied that the public is properly safeguarded, but must not be allowed to re-enter quarantined premises.

SEC. 4. Placard. (See regulation No. 17).

Sec. 5. Concurrent and terminal disinfection required. (See regulation No. 24-26).

INFANTILE PARALYSIS

REGULATION 34. SECTION 1. Absolute quarantine required.—Owing to the lack of definite knowledge as to the causative agent, method of transmission, and the severe consequences often attending this disease, in all cases and suspected cases of infantile paralysis absolute quarantine must be instituted immediately by the health officer in charge as required in Regulation 18.

SEC. 2. Period of quarantine.—The period of quarantine shall be not less than 21 days from onset of the disease and until after proper disinfection of

premises.

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SEC. 3. Isolation of exposed persons.—All persons exposed to infantile

paralysis shall be isolated for a period of 10 days from last exposure.

Sec. 4. Adults of the household may continue their vocations at the discretion of the health officer in charge, provided they are not brought into contact

with children at any time nor visit the sick room.

SEC. 5. Whenever infantile paralysis prevails in any locality, the local board of health may cause a search for a careful examination of all ill children and young adults to be made and all of these having suggestive symptoms shall be placed under a provisional quarantine pending diagnosis.

SEC. 6. Placard. (See regulation No. 17.)

(See regulation No. 24-26). SEC. 7. Concurrent and terminal disinfection. Note.—It is thought that the mild and missed cases are the principal cause the spread of this disease. Health Officers are cautioned to be on their of the spread of this disease. guard against these going unnoticed.

TYPHOID FEVER, PARATYPHOID

REGULATION 35. Section 1. Isolation required—All cases of typhoid fever and paratyphoid fever shall be isolated in a room screened against flies in accordance with regulation 19.

Sec. 2. Period of isolation.—No patient shall be released from quarantine until two negative laboratory examinations of both the urine and feces, taken at 3-day intervals; shall have been returned from the State health laboratory,

one of its branches, or other authorized laboratory.

SEC. 3. Source of infection.—When a case of typhoid fever or paratyphoid fever is discovered, the health officer having jurisdiction shall immediately proceed in a systematic approved manner to search for the source of infection and make a special report to the State department of health, describing in detail his method of search and his ultimate conclusions. When the source of infection is discovered, immediate abatement must be instituted.

SEC. 4. Placard. (See regulation No. 17.)

SEC. 5. Concurrent and terminal disinfection. (See regulation No. 24-26).

Note.—Chloride of lime or other chlorine preparation, 20 per cent solution of carbolic acid are antiseptics of choice.

SEC. 6. All foods liable to be contaminated must be destroyed before quaran-

tine is released.

SEC. 7. Laboratory confirmation.—Every physician or health officer having knowledge of a case or suspected case of typhoid fever, paratyphoid fever, or any continued fever not otherwise diagnosed, must obtain laboratory confirmation by the usual approved methods if possible. Report, however, shall be made immediately on a clinical diagnosis.

MEASLES, GERMAN MEASLES

REGULATION 36. SECTION 1. Whenever a case of measles or German measles is discovered, the health officer shall immediately isolate the case, as required by regulation 19.

SEC. 2. Period of isolation.—The period of isolation shall be not less than 10 days or until desquamation is completed. All discharges from nose, throat, and ears have ceased and the health officer in charge is satisfied that there is

no further danger of communicating the disease to others.

SEC. 3. Isolation of exposed persons.—All persons exposed to measles must be confined to quarantined premises for a period of 10 days from time of last exposure or until the health officer is satisfied that there is no longer any danger to others, except such persons who give satisfactory evidence of having had the disease may be allowed to leave the quarantined premises after being properly disinfected in a manner required by regulation. No such released person may reenter the premises until quarantine is released and the premises disinfected.

Sec. 4. Adults may attend to their usual vocations, provided they do not visit the sick room or mingle with or visit places where there are children.

SEC. 5. Placards. (See regulation No. 17.)

SEC. 6. Concurrent and terminal disinfection. (See regulation No. 24-26.)

WHOOPING COUGH

REGULATION 37. SECTION 1. Isolation required.—All cases of whooping cough must be isolated in a manner satisfactory to the health officer, but in no case must the patient leave the inclosure around the infected premises or come in contact with other children,

Sec. 2. Period of isolation.—The period of isolation shall be not less than six weeks from the onset of the disease and as long as the characteristic whoop

exists.

Sec. 3. Isolation of exposed persons.—All persons exposed to whooping cough shall be confined to the premises and not allowed to come in contact with other children for a period of 14 days from the time of last exposure, except such persons as give evidence satisfactory to the health officer that they have had the disease.

SEC. 4. Placard. (See regulation No. 17.)

SEC. 5. Concurrent disinfection and a good clean up of premises with soap and water, fresh air, and sunshine. (See regulation No. 24-26.)

MUMPS

REGULATION 38. SECTION 1.—Isolation required.—All cases of mumps shall be isolated for 14 days or until after the swelling of all glands affected have com-

pletely subsided.

Sec. 2. All exposed members of a family not previously having had the disease shall not be allowed to attend any school, church, public assembly, or come in contact with children until quarantine has been released except by written permission of the health officer having supervision.

SEC. 3. Adults may attend to usual vocations, provided they do not visit the

sick room.

SEC. 4. Placard. (See regulation No. 17.)

SEC. 5. Concurrent disinfection. (See regulation No. 24.)

OPHTHALMIA NEONATORUM

(See sec. 3168, compiled laws, 1913)

REGULATION 39. Section 1. Use of silver nitrate urged.—Since it has been clearly demonstrated that a considerable per cent of cases of ophthalmia neonatorum are due to pyogenic organisms other than the gonococcus, and since the prophylactic value of silver nitrate is fully proven in all cases, therefore, all physicians are urged to use 1 per cent solution of silver nitrate in the eyes of all new-born babies.

SEC. 2. Midwives and nurses must report.—All midwives, nurses, and other persons having charge of a new-born infant shall report immediately to the health officer, or a legally qualified physician, if any pus or secretion forms on the eyes or on the eyelids or if one or both eyes become reddened or swollen

within two weeks after birth.

SEC, 3. The patient and nurse shall be isolated.

SEC. 4. Concurrent disinfection. (See regulation No. 24.)

RABIES

REGULATION 40. Section 1. How reported.—Whenever any physician or other person has knowledge that any person or animal has been bitten or injured by a dog or other animal infected or suspected of being infected with rabies, and whenever he has knowledge of a case of rabies or suspected rabies, he shall report that fact immediately to the nearest health officer. The local health officer shall then transmit this report to the State health officer by-wire.

SEC. 2. When animals should be killed or quarantined.—Animals suspected of being infected with rabies must be effectively quarantined by being closely confined under the direction and close observation of the local health officer or an authorized agent of the State livestock sanitary board. When any dog or other animal shows positive symptoms of rabies it shall be immediately killed in such a manner as to preserve the brain intact. Heads of animals which have been killed for suspected rabies or those that have died from suspected rabies must be sent to a State laboratory for examination. (When an animal is killed in the early stage of the disease it is always difficult and often impossible to find the negri bodies. Whereas the process is comparatively simple in the latter stages of the disease.)

Sec. 3. Treatment for rabies.—Any person who has been bitten by a rabid animal may secure the Pasteur treatment, put up in glass ampules, which may be administered at home, by having their physician or health officer wire request to any reliable firm manufacturing biological products or to their author-

ized branches in your nearest large city.

Sec. 4. Concurrent regulations in cooperation with the State livestock sanitary board—Methods of quarantine and immunization.—Whenever a case of rabies or suspected rabies has been reported to either the State livestock sanitary board or to the State department of health a strict quarantine of all dogs or other animals susceptible to rables may be ordered under the direct supervision of the State veterinarian or his authorized agents, covering as large an area and for such period of time as in their judgment seems reasonable and necessary. Quarantine in such cases shall consist in effectively muzzling and closely confining all dogs and other animals susceptible to rables in the quarantined area in a manner as directed by the State veterinarian and State health officer: Provided, That any dog or other animal under quarantine having been properly immunized and certified to by the State veterinarian may be released from quarantine after a period of 21 days.

Sec. 5. All other rules and regulations of the State livestock sanitary board pertaining to rabies are hereby declared to be a part of these regulations when not in conflict therewith. All health officers shall cooperate in their enforce-

ment.

UNUSUAL DISEASES

REGULATION 41. Section 1. Typhus fever, cholera, plague, spotted fever, malaria, anthrax, glanders, pellagra, amebic dysentery, trichinosis infection, and all other diseases unusual to this State must be reported immediately to the State health officer and a provisional quarantine instituted pending special regulations and laboratory confirmation.

Sec. 2. Placard. (See regulation No. 17.)

Sec. 3. Concurrent and terminal disinfection. (See regulations Nos. 24-26.)

PREVENTION OF DANGEROUS COMMUNICABLE DISEASES AMONG SCHOOLS AND SCHOOL CHILDREN

REGULATION 42. Trachoma; protection of school children.—Section 1. No person suffering from trachoma shall be permitted to attend any school (public, private, parochial, or church) unless under active treatment by a physician, licensed to practice medicine in North Dakota, who shall certify in writing to the school board and the health officer that treatment is being faithfully carried on with full cooperation and faithful compliance with all of his orders and instructions by patient and parents.

Sec. 2. Any local health officer may modify these restrictions where in his judgment the circumstances and surroundings of any case justify it in order to

prevent the spread of trachoma.

REGULATION 43. Exclusion from school for tubercu osis.—Section 1. Any health officer shall upon request from the county superintendent of schools, any school principal or patron, or when he has reason to suspect that tuberculosis in any pupil, teacher, or janitor exists, must [sic] make an investigation. If upon investigation and examination the health officer decides any pupil, teacher, or janitor to be tuberculous, he shall exclude such person from school, nor shall any such person be allowed to return to school until proof satisfactory to the health officer that such person is not suffering from tuberculosis is established.

REGULATION 44. Exclusion from school.—Section 1. All children, teachers, janitors, or other persons suffering from or exposed to any disease requiring quarantine shall be excluded from all schools, nor shall they be allowed to attend school when living or lodging at any place where a quarantinable disease exists.

Sec. 2. Any pupil, teacher, janitor, or others, absent from school for more than three days for illness or when other members of the family are ill for more than three days where the cause is unknown and a possibility of its being a communicable disease exists, shall be excluded from school until a written permit is presented from a physician licensed to practice medicine in North Dakota, or health officer, stating that the disease is or is not communicable and that there is no danger of communicating the disease to others.

REGULATION 45. Exclusion from school for special diseases.—In addition to the diseases elsewhere declared by these rules to be subject to quarantine, any child shall be excluded from any public, private, or parochial school by the health officer, who is afflicted with the following diseases:

Contagious conjunctivitis, impetigo contagiosa, mumps, pediculosis (lice), ringworm, scabies (itch), or any suppurative disease of a foul or offensive nature: Provided, That in case of ringworm or scabies or pediculosis the child may be allowed to continue school attendance at the discretion of the health officer if proper treatment be immediately instituted and continued until a cure is effected.

REGULATION 46. Disinfection of school buildings.—Whenever any pupil, janitor, or teacher in any public, private, or parochial school is afflicted with any disease for which disinfection is required by the rules of the State department of health, the school building, school room, or rooms must be declared infected and dangerous to the public health, and such school building, room, or rooms shall not be used again for school purposes until thorough disinfection of the same has been carried out under the direction of the local health officer.

REGULATION 47. Teacher must report suspected cases.-Whenever any school principal or teacher in any private, public, or parochial school has reason to suspect that any pupil is suffering from or has been exposed to any communicable disease, such principal or teacher shall send the child home with instructions to see his family physician, and any pupil so excluded shall not be permitted to attend school again until such pupil shall present a certificate from a physician licensed to practice medicine in North Dakota stating that the child is not suffering from a communicable disease and that it is safe for him to return to school. Such principal or teacher shall also report any such suspected case to the local health officer, who upon receipt of such report shall use his best judgment as to the necessity for further investigating the case. If no legally qualified physician reports to him within the required time, the health officer must investigate.

Sec. 2. Must not fy school teachers.—When any officer shall have knowledge of the existence of any communicable disease within his district in any house from which any child attends school, or in which any person resides who is in the habit of frequenting any school building, he shall immediately notify the superintendent of schools, if located in a town having a superintendent of schools, or the school teacher of the school in the immediate school district,

of the existence of the disease and the house in which it is located,

REGULATION 48. School may be closed.—Whenever in the judgment of the State department of health, or any county or city health officer, it is advisable to close the schools because of the prevalence of any contagious or infectious disease or diseases he shall serve written notice upon the board of school directors or the responsible officials of any private, parochial, public, or Sunday school, in the same district in which such disease or diseases prevail, directing them to close all schools immediately, nor shall any such schools be reopened until ordered by the proper health official.

PREPARATION FOR BURIAL AND CONDUCTING OF FUNERALS

REGULATION 55. Section 1. Supervision of funerals by health officers.—The health officers shall supervise the conducting of funerals in all cases of acute infectious disease.

Sec. 2. Attendance at cemetery.—In case of funerals from houses that still continue under quarantine, members of the immediate family shall be allowed to accompany the corpse to the cemetery or crematory and to return to their premises under supervision of the local health officer.

Sec. 3. Preparation by embalmer in case of death from quarantine disease.—

A licensed embalmer shall prepare a body for burial, dead from a disease-

requiring quarantine, in the following manner:

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If the body be removed from the room in which death occurred to another room in the same house, in order to enable the embalmer to better carry out his duties, both rooms must be thoroughly scrubbed and woodwork, furniture,

etc., mopped in addition to the general disinfection of the house.

Sec. 4. Protection of public.—The embalmer before entering a room containing a corpse dead from disease requiring quarantine shall cover himself from head to foot in a cloth or rubber gown and shall cover his head with a snugly-fitting cap and whenever possible shall wear rubber gloves. Upon leaving theroom the outer garments, cap, and gloves shall all be wrapped in a tight covering or placed in a tightly closed bag, and the entire contents shall immediately thereafter be disinfected by boiling.

Sec. 5. Disinfection of coffin and room.—The coffin or casket used to convey the corpse shall not be taken into the room containing the corpse and removed therefrom unless the room previously or the room and coffin together shall have undergone thorough disinfection under the direction of the health officer.

Sec. 6. Disinfection of instruments.—All knives, razors, trocars, needles. syringes, and all other instruments employed in the process of embalming, together with all vessels, sponges, cooling boards, or other apparatus taken from the room during the preparation of a corpse dead from a contagious or infectious diseases, shall be thoroughly disinfected by boiling or immersion in a strong antiseptic solution immediately thereafter.

Sec. 7. Material removed from corpse to be disinfected.—All fluids or other matter removed from such bodies during the embalming process shall be either burned or mixed with equal volumes of a disinfectant solution approved by the State board of health for at least three hours before final disposal.

Sec. 8. Certain other diseases requiring same precautions.—In cases of death from diseases other than those requiring quarantine the same procedure as in deaths from quarantinable diseases shall be carried out in all cases dead from smallpox, measles, glanders, anthrax, Rocky Mountain tick fever, leprosy.

Sec. 9. Precautions required in certain other diseases.—In cases of deaths from tuberculosis, typhoid fever, puerperal fever, erysipelas, or whooping cough careful disinfection of the hands, instruments, and fluids, and other matters removed from the body shall be carried out, but not the other restric-

tions relative to the preparation of such bodies.

Sec. 10. Removal of corpse from house.—Any licensed embalmer in lieu of preparing the body for burial at the place of death may wrap such corpse completely in a sheet soaked with a strong disinfectant and place the body so wrapped in a suitable case and remove it to his place of business for the process of embalming: Provided, however, That if such be done the same precautions as to disinfection shall be carried out at the undertaker's parlors as are specified:

for the preparation of such body at the house where death occurred, and that the right to remove said body shall not be held to confer the right to conduct

a public funeral.

SEC. 11. Health officer shall supervise funeral of persons dead from contagious diseases when such are held at undertaker's parlors.—If a funeral be held at the undertaker's parlors in the case of a person dead from any of the diseases enumerated above, except typhoid fever, tuberculosis, puerperal fever, erysipelas, or whooping cough, the local health officer shall supervise the conducting of such funeral services, and the premises must be thoroughly disinfected immediately thereafter.

Sec. 12. Public and church funerals.—No public or church funeral shall be held in cases dead of diphtheria, scarlet fever, smallpox, chickenpox, measles, whooping cough, or any other dangerous epidemic or communicable diseases.

Public or church funerals may be allowed in cases dead from tuberculosis, typhoid fever, erysipelas, and other infectious diseases, provided the body has

been properly prepared and embalmed by a licensed embalmer.

Sec. 13. Depth at which deceased human bodies must be buried.—Hereafter all deceased human bodies that are disposed of by earth burial in the State of North Dakota must be buried in the ground at a depth of at least 6 feet.

Venereal Diseases—Reports of Cases—Records and Reports by Druggists—Information and Reports to Be Confidential—Circular of Information to Be Furnished Patient—Exposure of Others by Infected Person Prohibited—Treatment of Indigent Cases—Isolation—Prohibited Occupations—Hospitalization—Periods of Control and Treatment—Laboratory Examinations—Duties of Local Health Authorities—Placarding—Issuance of Certificate Showing Freedom from Infection—Removal of Infected Person from One Health Jurisdiction to Another—Giving of False Information Unlawful. (Reg. Dept. of H., June 2, 1927)

REGULATION 54. RULE 1. Venereal disease dangerous to public health.—The State department of public health finds the following diseases, namely, syphilis, gonorrhea, and chancroid, are communicable and dangerous to the public health.

RULE 2. Prostitution a prolific source of venereal disease.—Prostitution is hereby declared to be a prolific source of venereal disease and the repression

of prostitution is hereby declared to be a public health measure.

Rule 3. Venereal disease to be reported; by whom to whom.—Every physician, nurse, attendant, druggist or pharmacist, dentist, superintendent, or principal directing officer of a hospital, jail, asylum, home, or similar institution, or other person having knowledge of a known case of venereal disease, shall within 24 hours of such knowledge of such known or suspected case coming to his notice report same to the State bureau of venereal disease.

RULE 4. Form of report .- Such reports shall be on forms prepared and fur-

nished by the department of public health.

RULE 5. Report of termination of case.—Upon the termination of treatment of any case of venereal disease the attending physician shall report the fact to the bureau of venereal disease, giving the name, the date upon which the case was terminated and upon what grounds the case was terminated (i. e., cured, transferred to another physician, dismissed uncured or died, etc.). If the diseased person discontinues treatment, without permission and is still uncured, the name and address of such person shall be reported to the bureau of venereal disease.

RULE 6. Hospitals and institutions.—For the purpose of controlling and suppressing venereal disease the department of public health and the bureau of venereal disease, through their authorized agents, may inspect hospitals, dispensaries, and charitable and penal institutions and all of the records of diseases

treated and laboratory examinations made.

Rule 7. Record kept by druggists; reports required.—Every druggist, pharmacist, or other person who sells any drugs, specific, compound, or preparation of any kind for the cure or treatment of venereal diseases shall keep a record of name, address, color, and sex of the person making such purchase, together with the name and description of the articles purchased, and shall make a report thereof within 24 hours to the bureau of venereal disease on forms provided for that purpose. In case, however, a person presents a prescription issued by a legal practicing physician, for such drugs or remedies, then the record kept by such druggist, pharmacist, or other person and the report thereof shall show the name of the physician who issued the prescription, the name and

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perisme cerv address of the patient, and the date of the prescription. Such record shall at all reasonable times be open to the inspection of the local health authorities, the bureau of venereal disease, and the department of public health.

RULE 8. Reports confidential.—All information and reports concerning persons infected with venereal disease shall be confidential and shall be inaccessible

to the public.

RULE 9.—Rules and circular of information.—Every physician and every person who treats a person afflicted with venereal disease shall give to such diseased person a circular of information and advice concerning venereal disease, fur-

nished or approved by the department of health.

RULE 10. Change of physician.—A physician upon being applied to for treatment by a venereally diseased person shall inquire of and ascertain from such person if he has previously consulted with or been treated by another physician for the disease with which he is afflicted; and if so, the physician now applied

 (a) Ascertain the name and address of the physician previously consulted;
 (b) Report the case to the bureau of venereal disease, as provided in these rules, noting on such report the following: "Transfer case from Dr. (giving name of physician previously consulted)." Nothing in these rules shall be construed to prohibit a diseased person from transferring from one physician Such transfer may be made at any time in accordance with the

provisions of this rule.

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RULE 11. Application of diseased person to health authorities for diagnosis.-Any person being treated for venereal disease who may suspect an incorrect diagnosis of his disease or who may have a suspicion that he is being continued under treatment an unnecessary period of time, or who has been threatened that his identity will be revealed if he discontinues treatment, may apply to the local health authorities or the State department of public health for examination and advice or he may transfer to another physician in accordance with the provisions of rule 10.

RULE 12. Exposure of other persons to infection prohibited .- Any person having a known or suspected venereal disease is prohibited from inoculating any other person with venereal disease, and such person shall not perform or commit any act which exposes any other person to inoculation of or infection

with any venereal disease.

RULE 13. Reports by local health authorities to overseer of poor; when .-Upon being advised of a case of venereal disease in any person who is unable to pay for the necessary medicines, medical attention, or hospital care, local health authorities shall report the case to the overseer of the poor, who shall supply medicine, medical attention, and hospital care to such person.

RULE 14. Rules for isolation, control, and quarantine.—All cases of venereal disease are subject to the following rules of isolation, control, and quarantine:

1. Whenever in the opinion of the physician responsible for the conduct of the diseased person, or health officer, isolation is necessary to protect the public health, to isolate such diseased person.

2. The physician or health officer shall exercise diligence to see that the diseased person shall not expose others to infection.

3. The diseased person shall not, during the period of infectiousness, be employed or engaged in any of the following occupations:

(a) In the preparation, manufacture, or handling of milk, milk products, or foodstuffs. (b) In any milk products or food manufacturing or food handling establish-

ment. (c) In the care of or nursing of children or of the sick.

(d) In any occupation the nature of which is such that infection may be imparted to others.

4. Whenever possible, cases of venereal diseases shall be removed to a hospital for treatment.

5. The period of control and treatment in all cases shall be as follows:

GONORRHEA (A)

Female.-All cases to be kept under control and treatment for a minimum period of one month, and thereafter until at least three consecutive negative smears, taken at intervals of not less than 24 hours, are obtained from the cervix, vagina, and urethra.

Male.—All cases to be kept under control and treatment for a minimum period of one month, and thereafter until at least three consecutive negative smears, taken at intervals of not less than 24 hours, are obtained from the urethra following the massage of the prostate.

SYPHILIS (B)

All cases to be kept under control and treatment for a minimum period of three months, and thereafter until all lesions of the skin and mucous membrane have healed and a negative Wassermann reaction is obtained. (In event of persistent positive Wassermann reaction following a reasonable period of approved treatment, the facts of such case shall be presented to the bureau of venereal disease for a special ruling on the disposition of the case.)

CHANCROID (C)

Until all lesions are fully healed and a negative Wassermann test is obtained.
6. No prostitute, suspected prostitute, or habitual associate of prostitutes shall be released from control or quarantine until such control or quarantine has been terminated by order of the State department of health. For the purpose of determining when control or quarantine may be terminated the necessary smears or specimens of blood, or both, as the case may require, taken by the department of public health or its specially authorized agent, shall be submitted to the State public health laboratory for examination.

7. No private patient under treatment of a physician for a venereal disease shall be pronounced cured (noninfectious) and released from control until it has been definitely determined by laboratory examination made by a laboratory approved by the department of public health that the period of infectiousness as established in this rule, section 5 (a) (b) (c) have [has] elapsed.

RULE 15. When rule enforced by local health authorities—General duties of local health authorities.—In addition to the other duties prescribed by these rules, the local health authorities shall:

1. Use every available means to ascertain the existence of venereal disease, and to investigate all cases reported.

2. Ascertain so far as possible the source of infection and all exposed to the same.

3. Make examinations of persons reasonably suspected of having venereal diseases. (Owing to the prevalence of such diseases among prostitutes and persons associated with them all such persons may be considered within the above class.)

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4. In making examinations of females for the purpose of ascertaining the existence of venereal diseases, to appoint when requested by the person examined women physicians, where the appointment of such women physicians is practicable and feasible.

5. Cooperate with proper officials whose duty it is to enforce the laws against prostitutes and otherwise use means for the suppression of prostitution.

6. Keep all records pertaining to inspection and examination in files not open to public inspection and to make every reasonable effort to keep secret the identity of those affected by venereal disease so far as may be consistent with the public health.

7. Report to the bureau of venereal disease on forms provided for that

purpose.

Rule 16. Placarding; when permitted.—The following premises may be placarded:

1. Premises used for immoral purposes when such premises are known to harbor a person afflicted with venereal disease.

2. Premises where the diseased person can not be isolated or controlled. No placard shall be placed on either of the above-described premises unless the diseased person will not consent to removal to a hospital or sanitarium during the period of infectiousness.

RULE 17. Certificate of freedom from venereal disease.—No physician, local health authority, or other person shall issue a certificate of freedom from venereal disease to any person known to be or suspected of practicing prostitution.

RULE 18. Removal from one health jurisdiction to another.—No person having venereal disease shall move or be moved from one health jurisdiction to another without first securing permission to do so from the local health authorities of

the place from which removal is to be made, or from the department of public health. Such permission may be granted under the following conditions:

1. The object of the proposed removal shall be deemed by the issuing health officer as urgent and legitimate, and not for the purpose of relieving one community of an undesirable burden at the expense of another.

2. Removal can and will be made without endangering the health of others

either in transit or at destination.

3. Patient agrees to report in person to the local health authorities immediately upon arrival at destination or agrees to place self under the care of a reputable physician (to be named in the removal permit), on arrival at destination and attending physician assumes responsibility for fulfillment of this agreement.

4. Removal shall not begin within 24 hours after notice of removal has been forwarded by first-class mail to the health officer at the proposed destination of the venereally infected person, which notice shall be made out and

signed by the health authority granting permission for removal.

RULE 19. Definitions.—The following words and phrases as used in these rules shall be defined as follows:

"Venereal diseases": (a) Syphilis; (b) gonococcus infections; or (c) chancroid

"Prostitute," a person known to be practicing sexual intercourse promis-

"Department of public health," the North Dakota State department of public

health, the bureau of venereal disease.

"Diseased person," one infected or suspected of being infected with venereal

disease.

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RULE 20. Giving false information.—It is a violation of these rules for any diseased person, or for any physician, drugless healer, pharmacist, dentist, hospital superintendent, attendant, nurse, or other person of whom information is required by these rules to knowingly give an incorrect name and address or to impart any false information.

Annual Report—Making by Local Health Officers. (Reg. Dept. of H., June 2, 1927)

REGULATION 6. Annual report.—Every city any county health officer must make an annual report in triplicate not later than January 15 of each year, on forms furnished by the State health officer, covering all health activities in his jurisdiction during the calendar year just ended. One copy of this report must be sent to the county or city commissioners, one copy to the State health officer and one copy retained for his own files.

Public Health Nurses-Supervision-Permit. (Reg. Dept. of H., June 2, 1927)

REGULATION 51. Public health nurses.—Section 1. All public-health nurses, including city school nurses, county school nurses, community welfare nurses, etc., doing work within the State of North Dakota shall be under the immediate control and supervision of the local boards of health where the services are being rendered and as such under the direct control of the State department of health, and subject to such rules and regulations of said State department of health as may from time to time become effective. It shall be the duty of the State health officer to direct the State public health nursing program, require regular, adequate, and uniform reports, and assist all efforts in the field to improve the quality of the service.

Sec. 2. All public-health nurses, including city school nurses, county school nurses, community welfare nurses, etc., before entering on their duties as such within the State of North Dakota, shall procure from the State health officer a permit, certifying to their registration within the State of North Dakota as a member of the North Dakota Nursing Association, individual training, qualifications, and fitness for such position, and of having had special public health nursing training satisfactory to the State health officer: Provided, however, That all those who are engaged as public-health nurses within the State of North Dakota shall be granted a permit if applied for within

six months from the date of publication of this regulation.

Habit-Forming Drugs—Possession. Certain Drug Addicts—Commitment to State Institution Authorized. (Ch. 211, Act March 7, 1927)

SEC. 8. Section 504 of the Compiled Laws of the State of North Dakota for

the year 1913 is hereby amended and reenacted to read as follows:

SEC. 504. Narcotics.—No person shall have in his possession or under his control any opium, coca leaves, or any compound, salt, derivative, or preparation thereof, including cocaine, morphine, heroin, and codeine, unless it be possessed through having been prescribed or dispensed in good faith by a physician, dentist, or veterinary surgeon registered under the laws of North Dakota and registered by the United States States Government under the Harrison Act, and [sic] act of Congress approved December 17, 1914, as amended, to prescribe or dispense such drugs: Provided, That this section shall not apply to any person registered under the said Harrison Act, or to any employee, or assistant of a registered person and under his supervision, having such possession or control by virtue of his employment and not on his own account, or to the possession of any of the aforesaid drugs by any corporation engaged in the wholesale distribution of such drugs, or by manufacture of pharmaceuticals, registered under the Harrison Act, or by any United States, State, city, county, or municipal official, who has possession of any of said drugs by reason of his official duties, or by a warehouseman holding possession for a person so registered and who has paid the tax under the aforementioned Harrison Act, or to common carriers engaged in transporting such drugs: Provided, further, That it shall not be necessary to negative any of the aforesaid exemptions under any complaint, information, indictment, or other writ or proceeding brought under this section; and the burden of proof of any such exemption shall be on the defendant. Any person violating any provisions of this section shall be deemed guilty of a misdemeanor and shall be fined not less than \$100 or more than \$1,000 or be imprisoned in the county jail not less than 30 days nor more than one year, or both such fine and imprisonment, providing that if the court or judge finds that the defendant is a habitual user of narcotic drugs he may commit the defendant for a period not to exceed three years in a State

That the provisions of this section shall not be construed to apply to the sale, distribution, giving away, dispensing, or possession of preparations and remedies which do not contain more than two grains of opium or more than one-fourth grain of morphine, or more than one-eighth of a grain heroin, or more than one grain of codeine, or any salt or derivative of any of them in 1 fluid ounce, or if a solid or semisolid preparation, in one avoirdupois ounce; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts, or alpha or beta eucaine, or any of their salts, or any subthetic [sic] substitutes for them: *Provided*, That such remedies and preparations are solid [sic], distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of

this section.

Water Supplies-Sanitary Requirements. (Reg. Dept. of H., June 2, 1927)

REQULATION 56. SECTION 1.—Quality of water.—No supply of water furnished to people in the State for general use shall contain bacteriological, chemical, or physical impurities which shall injuriously affect or tend to affect public health. It shall satisfy the bacteriological standards of the United States Public Health. Service for waters used by the public on interstate common carriers. The source of water supply and the method of distribution shall be satisfactory according to a sanitary survey. Any water supply falling below these requisites shall be either improved to fulfill the standards or discontinued.

Water-Supply Systems and Sewerage Systems—Approval of Plans and Specifications for Installation, Alteration, or Extension. Water and Sewage—Analysis. Water and Sewer Connections. (Reg. Dept. of H., June 2, 1927)

[REGULATION 56] Sec. 6. Submission of plans for approval.—No system of water supply, sewerage, or refuse disposal for public use in the State, which affects or tends to affect public health, [shall] be installed, nor shall any such existing system be materially altered or extended, until complete plans and

specifications for the installation, alteration, or extension, together with such information as the State Board of Health may require, have been submitted in triplicate and approved by the board so far as relates to their sanitary features. All construction shall take place in accordance with the plans as approved, whether with or without modification. Whenever any governing body having charge thereof shall determine that there shall be any material change in the plans, construction, or operation of any such system, such governing body shall submit to the State board of health a detailed statement of such action or such contemplated changes before it shall enter upon the making of such changes or enter into any contracts therefor or any part thereof, and then such changes shall only be made after approval as to all matters liable to affect public health, by the State board of health.

WATER-SUPPLY AND WATER-TREATMENT SYSTEMS

Sec. 7. Submission of plans.—Plans shall be submitted in triplicate to the Board of Health of the State of North Dakota for examination at the earliest possible date prior to the date upon which action by the board is desired. From this it is not to be inferred that action by the board will always be taken within the time mentioned.

Plans shall be accompanied by three copies of specifications and three copies

of an engineer's report on the project.

On approval, one set of plans, specifications, and the engineer's report will be retained for the files of the State board of health, one set will be delivered to the organization for which the work is to be done, and the third set will be returned to the engineer.

SEC. 8. Information required.—The plans for a complete water supply and

water system shall consist of the following parts:

A general plan of the municipality or district, showing the proposed system. Detailed drawings showing construction of any special structures in the distribution system.

General and detailed plans for the water-treatment works.

A comprehensive report upon the proposed system by the designing or consulting engineer. This report to be typewritten upon letter-size paper and the

sheets are to be firmly bound together.

Sec. 9. General plan.—1. The general map referred to in section 8 shall be drawn to a scale not greater than 100 nor less than 300 feet to 1 inch, covering the entire area of the municipality or district to be supplied with water, and shall accompany each application in the case of a new water system, or any extension or modification of any water-supply or water-treatment system, unless a general plan of the entire area has been previously submitted.

If the municipality is greater than 2 miles in length, the map may be divided into sections, conforming in size to those mentioned in section 10. The sheets shall be bound together and a small index map supplied, showing by number

the area covered by the various sheets.

2. Details of map.—This map shall show all existing or proposed streets, the surface elevations of all street intersections, and the elevations of the principal parts of the water system, such as water at the intake, in the reservoir or standpipe, etc. The map should show that water-supply facilities can be provided for all sections of the municipality of district, even though the construction of pipe lines in some of the streets is to be indefinitely deferred. The location of intakes, valves, hydrants, reservoirs, pumps, standpipes, and purification plant, and any special structures shall be shown and referenced in a legend near the title. The size of pipes shall be written between the street lines and along the pipe. The map shall also show the true or magnetic meridian, title, scale, date, the municipal or district boundaries, the mean, low, and high water elevations of water at the intake. If the site of the pumping plant is subject to flooding, the elevation of the highest known flood water must be given.

3. Lettering, lines, and symbols.—Letters and figures shall be clearly and distinctly made. Pipe lines to be built at present shall be shown by solid lines and those to be later constructed shown by broken lines. All topographical symbols used are to be the same as those used by the United States Geological

Survey.

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4. *Elevations*.—The elevations of the street intersections shall be placed outside of the street lines in the upper right-hand angle or opposite their respective positions in the street.

5. Detail drawings.—Detail drawings of all special appurtenances, such as blow-offs, syphons, intakes, conduits, reservoirs, collecting galleries, filters, etc., shall be submitted.

6. Profiles of long conduits or pipe lines may be plotted to a convenient scale

and shown on sheets of the sizes mentioned below.

SEC. 10. Treatment works general plans.—The plans for the treatment works shall consist of a general plan upon which reserve areas or future extensions must be shown, and also the general layout of the various units of the process,

together with the piping system.

Detail drawings.—The detail drawings shall include longitudinal and transverse sections sufficient to show the construct on of each unit and part of the plant. They shall also show the distributing, drainage, and cleansing systems, general arrangement of any automatic devices, sizes, and depth of stone gravel or sand used for filtering material, and such other information as is required for the intelligent understanding of the plans.

Drawings.—All drawings submitted shall be neatly and plainly executed and may be traced directly on tracing cloth, printed on transparent cloth or printed

on any of the various papers which give distinct lines.

Size of drawings.—The following dimensions are suggested for ordinary use, with the exception of the general map: Distance from top to bottom, 20 or 30 inches; length, 24 inches, 32 inches, 40 inches, or 48 inches, or thereabouts. By this section it is intended to prevent the use of unnecessarily long or large maps, which are difficult to file or to use.

Title.—Each drawing shall have legibly printed thereon the name of the municipality or persons for whom the drawings are made, the name of the engineer in charge, the date, the scale, and such references in the title as are

necessary for the complete understanding of each drawing.

Sec. 11. Engineer's report.—A report, written by the designing or consulting engineer, shall be presented with all plans for complete systems, and shall give all data upon which the design is based or which is required for the complete understanding of the plans.

Where a purification or treatment plant is to be constructed, a measuring device shall be provided at some convenient point, and the installation of a recording device is recommended, and in particular instances may be required.

SEC. 12. Wells and collecting galleries.—If the water supply is to be taken from wells, describe the number, depth, size, and construction of the same; method of pumping, capacity of pumps, kind of strainer used, nature of ground through which wells will be driven, and probable flow of the wells.

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lecting galleries are to be used, describe their construction.

SEC. 13. Information concerning treatment plant.—The following information is required respecting the treatment plant: The method of treatment and a description of the units of the system; the rate of operation of each of the systems; the rate of operation of each unit of the plant; if any chemicals are used. the nature and quantity of each with a description of the appliances for adding the same to the water; a description of all conditions peculiarly characteristic of the water or locality which in any manner affect the design or opera-tion of the system; a description of all special appliances used, any special methods of maintenance or operation of the plant, and the extent of treatment expected or guaranteed.

The report should further include a description of the nature and extent of the area to which it is proposed to supply water, or which will ultimately be supplied from the system, the quantity of water to be supplied daily, and the population to be served, the portion of the system to be constructed at present and the minimum depth of pipe below the surface of the ground. description of any provision for future units of pumping plants, filters, etc.,

should be given.

SEC. 14. Unsupplied districts.—Should there be areas in the municipality or district which, on account of topography or for other reasons can not be supplied with water, a definite statement to this effect must be made and the probable future supply of this omitted territory should be discussed.

SEC. 15. Specifications.—Specifications and an estimate of the cost for the construction of water supply and water treatment systems shall accompany

all plans for new or original systems.

SEC. 16. Extensions to or modifications of present systems.—If the plans are solely for the extension to or modification of the existing system, only such information as is necessary for the comprehension of the plans will be required. This information shall in general conform to the above requirements for a complete system.

SEC. 17. General requirements-Application for approval.-The application for approval of plans shall be made by the proper municipal authorities, persons for whom the work is to be done, or their properly authorized agents upon

blank forms, which will be supplied by the board.

SEC. 18. Samples of water to be analyzed .- The board will collect and analyze samples from all public water supplies at regular intervals. Requests for the analysis of special samples should be made to the board in writing, as samples will not be examined unless collected according to regulations of the State board of health.

SEC. 19. Approval of plans.-Preliminary rejection of plans or suggested changes will generally be taken up with the engineer designing the system. Final approval or rejection will be indicated on each sheet of the plans and profiles, and in a letter on the project as a whole, copies of which will be sent to the engineer and to the mayor or other executive of the city, village, or institution for which the system or plant is designed.

SEWERAGE SYSTEMS AND SEWAGE TREATMENT WORKS

SEC. 20. Submission of plans.—Plans shall be submitted in triplicate for examination, at the earliest possible date prior to the date upon which action by the board is desired. From this it is not to be inferred that action by the board will always be taken within the time mentioned.

Plans shall be accompanied by three copies of the specifications and three

copies of an engineer's report of the project.

On approval one set of plans, specifications, and engineer's report will be retained for the files of the State board of health, one set will be delivered to the organization for which the work is to be done, and the third set will be returned to the engineer.

Szc. 21. Information required.—The plans for a complete sewerage and sewage-treatment system shall include the following:

A general map of the municipality or sewage district.

Profiles of all sewers proposed.

Details of construction of manholes, flush tanks, and special structures pertaining to the sewers.

General and detailed plans for disposal works.

A comprehensive report upon the proposed system by the designing or consulting engineer. This report is to be typewritten upon letter-size paper and

the sheets are to be firmly bound together.

Sec. 22. Map or general plan.—(1) The general plan referred to in section 21 shall be drawn to a scale not greater than 100 nor less than 300 feet to 1 inch, and shall show the entire area of the municipality or district. If the municipality is greater than 2 miles in length the map may be divided into sections, conforming in size to those mentioned in section 26. The sheets shall be bound together and a small index map supplied, showing by number the area covered by the various sheets. A general plan shall accompany each application either in the case of a new sewer system or any extension or modification of any existing sewer system unless such general plan has already been submitted.

(2) Details of map: This plan shall show all existing or proposed streets,

and the surface elevations at all street intersections.

If it is intended to defer the construction of sewers in some of the streets, the plan shall show that sewerage facilities are provided for all such sections of the municipality or sewerage district. The plans shall also clearly show the location of all existing sewers, either "separate" or "combined," the location of existing and proposed sewer outlets or overflows. The true or magnetic meridian, the town or borough lines, title, date, scale, direction of flow and average water elevation of the stream shall also be clearly shown. The elevation of the highest known freshets at the outlets and site of the disposal plant shall be given. Any area from which sewage is to be pumped shall be shown by light shading, coloring, or other distinctive marks.

(3) Lettering, lines, and symbols: Letters and figures shall be clearly and distinctly made. Sewers to be built at present shall be shown by solid lines, and sewers to be constructed later shall be shown by a line of dashes, as -Existing sanitary sewers shall be shown by the following symbol, , and combined sewers by dot and dash, .--.-. All topographical symbols used

are to be the same as those of the United States Geological Survey.

(4) Elevations: Elevations of the surface of the streets should be placed outside the street lines in the upper right angle or opposite their respective positions in the street. The elevations of sewer inverts should be shown at street intersections, ends of lines, and wherever a change of grade occurs. The elevations of the sewer shall be written close to the point to which they refer, parallel with the sewer line and between the street lines. The elevations of surface shall be shown to the nearest 1–10 foot; those of the sewer invert to the nearest 1–1,000 foot. The sizes and gradients of all proposed and existing sewers shall be marked along the line of the sewer.

(5) Sewer appurtenances: All sewer appurtenances and unusual features, such as manholes, flush tanks, siphons, pumps, etc., shall be designated on the plans by suitable symbols and referenced by a legend near the title.

Sec. 23. Profiles.—Profiles of all sewers where gradients less than that given below are used shall accompany the application. Profiles of all sewers must

be approved before they are constructed.

Profiles of sewer lines shall be prepared and drawn to such a scale as to clearly show the structural features of the sewer. For ordinary use, the following scales are suggested: Vertically, 10 feet to 1 inch; horizontally, 100 feet to 1 inch. Both scales must be clearly shown upon each sheet. Upon these profiles shall be shown all manholes, flush tanks, siphons, and stream crossings, with elevations of stream bed and normal water. Figures showing the sizes and gradients of sewers, surface elevations, sewer inverts, etc., should be shown with the same frequency as required for the map.

Grades, etc.: The following gradients for sewers flowing half full are suggested as minimum grades for ordinary use, as with careful construction a theoretical velocity of approximately two feet per second can be obtained:

Fall in feet per 100	
Size of pipe	eet of sewer
8 inches	0. 40 feet.
10 inches	0. 29 feet.
12 inches	
15 inches	0. 16 feet.
18 inches	0. 12 feet.
20 inches	0. 10 feet.
24 inches	0.08 feet.

The sewers should have a capacity when flowing half full sufficient to carry twice the future average flow twenty-five years hence, plus a sufficient allowance for ground water infiltration.

When grades lower than those given are used, an explanation and reasons for the use of such grades should be included in the engineer's report. On each sheet of profiles must be given, under the title, an index of the streets appearing on that sheet. Profile sheets shall be numbered consecutively.

Sec. 24. Detail plans.—Detail drawings of sewer sections except where terra cotta or iron pipe is used, and of all sewer appurtenances, such as manholes, lampholes, flush tanks, inspection chambers, siphons and any special structures, shall accompany the general sewer plans.

The detail plans shall be drawn to such a scale as to show suitably and clearly the nature of the design and all details, such as manhole frame and covers, iron pipes, valves, gates, etc.

SEC. 25. Disposal works.—All drawings submitted shall be neatly made and include a general plan upon which reserve areas or future extensions are clearly shown, and detail plans of the various units and structures which comprise the plant.

A weir or other measuring device shall be provided at some convenient point and the installation of a recording device is recommended, and in particular instances may be required.

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Detail plans: The detail plans shall show longitudinal and transverse sections sufficient to explain the construction of each unit. They should also show the distributing and drainage systems, general arrangement of any automatic device, sizes of stone, gravel or sand used as filtering material, and such other information as is required for the intelligent understanding of his plans.

Sec. 26. Drawings.—All drawings submitted shall be neatly and plainly executed and may be traced directly on tracing cloth, printed on transparent cloth, or printed on any of the various papers which give distinct lines. All prints shall be clear and legible.

Size of drawings: With the exception of the map, the following dimensions are suggested for ordinary use: Distance from top to bottom 20 or 30 inches; length, 24 inches, 32 inches, 40 inches or 48 inches, or thereabouts. section it is intended to prevent the use of long profiles and unnecessarily large maps which are difficult to file or to use.

Title: Each drawing shall have legibly printed thereon the name of the town or persons for whom the drawing is made, the name of the engineer in charge, the date, the scale, and such references in the title as are necessary for the

complete understanding of each drawing.

Sec. 27. Engineer's report.—A report written by the designing or consulting engineer, should accompany all plans for complete sewerage systems, and shall

give all data upon which the design is based, such as:
Information concerning sewer systems: (1) The nature and extent of the area which it is proposed to include within the present system of sewage, and of the area which it is planned shall ultimately drain into this system.

(2) The estimated per capita daily flow of sewage to be cared for.

(3) The population to be served, both present and estimated for twenty-five years hence.

(4) The total and per capita water consumption of the town at the present

(5) The allowance made for leakage into the sewers. (6) The estimated daily flow of sewage, including leaks.

(7) The character of the sewage (whether domestic or including manufacturing wastes, and in case of the latter the nature and approximate quantity of the same stated in specific terms).

(8) Method of flushing or periodically cleaning the sewers.(9) That portion of the sewers to be built at the present time. (10) The minimum grades of sewers for each size used.

(11) If there are sections which can not drain into this system the extent of such sections and the probable future disposition of the sewage from these

A list of bench marks or fixed elevations should be included in this report. Information concerning treatment plant. With regard to the treatment plant, the engineer's report shall cover the following subjects: (1) The method of treatment to be adopted and a description of the units of the system.

(2) The rate of working of each unit.

(3) If disinfection is to be used, the name of the disinfecting substance, the quantity per million gallons of sewage and the method of application.

(4) The nature of the body of water into which the effluent discharges, with particular reference to the run-off during dry weather.

(5) The disposal of sludge.

- (6) All conditions peculiarly characteristic of the locality and which in any way affect the design of the system.
 - (7) Special devices used in connection with the treatment system. (8) Special methods of maintenance or operation of the system.

(9) The results expected from the purification system.

(10) Explain any provisions for reserve units in pumping plants, pipe lines, filters, etc.

Sec. 28. Specifications and estimate of cost.—Specifications for the construction of the system of sewers and sewage treatment works and an estimate of the cost of the same shall accompany all plans for new or original systems.

Sec. 29. Extensions to or modifications of present systems.—If the plans are solely for the extension to or modification of an existing system, then only such information as is necessary for the comprehension of the plans will be required. This information must in general conform to the above requirements for a complete system.

Sec. 30. General requirements—Application for approval.—The application for approval of plans shall be made by the proper municipal authorities, persons for whom the work is to be done, or their properly authorized agents, upon

blank forms which will be supplied by the board.

SEC. 31. Systems on separate plan.—Under ordinary circumstances the board will approve such plans only when designed upon the separate plan in which all rain water from roofs, streets, and other areas and all ground water, other than unavoidable leakage, is to be excluded.

SEC. 32. Samples of sewage to be analyzed.—The board will collect and analyze samples of sewage from all public sewer systems at regular intervals. SEC. 33. Approval of plans.—Preliminary rejection of plans or suggested changes will generally be taken up with the engineer designing the system. Final approval or rejection will be indicated on each sheet of the plans and profiles, and in a letter on the subject as a whole, copies of which will be sent to the engineer and to the mayor or other executive of the city, village,

or institution for which the system of plant is designed.

SEC. 34. Water and sewer connections.—Whenever any city or village in the State of North Dakota, having power to do so, installs, builds, or constructs a municipal sewer and water plant within its corporate limits along any public street or alley, it shall be the duty of every owner or occupant of any abutting property platted into lots and blocks having a dwe.ling house or business property situated therein to install a toilet in said dwelling or business property, and make connection thereof with the water and sewer in the street or alley adjacent thereto, within 30 days after written notice is given to such owner or occupant to install such toilet and make such connection by the governing body of such city or village, and the authority to give such notice may by ordinance of such city or village be delegated to any elective or appointive officer of such city or village and when the owner or occupant of any property so notified in writing to install a toilet and make sewer and water connection shall for 30 days after such written notice is given and proof of the service of such notice shall [sic] fail, refuse, and neglect to make such connection and install such toilet, such governing body may by resolution direct that a toilet be installed and connection made with sewer and water and that cost of said installation be paid in the first instance by the city or village out of the general fund of revenue, and the actual cost thereof associated against the said property benefited. After such installation and connection is completed, there shall be served written notice of such assessment and an order directing the owner or his or her representative of such property to pay said assessment and within 10 days after the service of said written notice to the treasurer of such city or village, and after proof of such notice and order and that assessment has not been paid within said 10 days the same shall be certified to the county auditor for collection as other assessments for benefits except that such assessments may be spread over a term of three years if so requested when certified, and shall become a lien upon said property until paid,

Sec. 35. Penalty for failure to make connection.—Any person who shall in any way interfere with the carrying out of the provisions of this section shall be subject to punishment by a fine of not less than \$25 when convicted nor more than \$100 or to imprisonment in the county jail for not more than three months, or by both fine and imprisonment at the discretion of the trial court.

Sewage-Disposal. (Reg. Dept. of H., June 2, 1927)

[REGULATION 56.] SEC. 2. Disposal of sewage.—No sewage shall be placed or permitted to be placed or discharged or permitted to flow into any of the waters of the State except as hereinafter provided. This regulation shall not prevent the discharge of sewage from any public sewer system owned and maintained by a municipality or sewerage company, provided such sewer system was in operation and was discharging sewage into the waters of the State on January 1, 1920; but this exception shall not permit the discharge of sewage from any sewer system that shall have been extended subsequent to the aforesaid date, nor shall it permit the discharge of any sewage which, upon investigation by the State board of health, shall be found to be polluting the waters of the State in a manner prejudicial to the health and comfort of its inhabitants. Whenever complaint shall be made to the State board of health of the pollution or of the polluted condition of any of the waters of the State, or whenever the State board of health shall have reason to believe that any of the waters of the State are being polluted in a manner prejudicial to the health and comfort of any of its inhabitants, it shall be the duty of the State board of health to make an investigation covering the pollution or the polluted condition. Whenever an investigation shall be undertaken by the State board of health, it shall be the duty of any organization or person concerned in such pollution to furnish upon request to the State board of health such information as may be required to the amount and character of the polluting material discharged into the said waters by such organization or person. If the State board of health shall find that any of the waters of the State have been or are being polluted in a manner prejudicial to the health and comfort of its inhabitants the State board of health shall have the authority to make an order requiring such pollution to cease within a reasonable time, or requiring such manner of treatment or of disposition of the sewage or other polluting material as may in its judgment be necessary to prevent the future pollution of such waters, or both. And it shall be the duty of the organization or person to whom such order is directed to fully comply with the said order of the State board of health. If the organization or person shall consider the requirements of the said order to be illegal or unjust or unreasonable an appeal therefrom within 30 days after the making of the order can be made to the district court of the county in which the pollution or polluted condition occurs; and the said court shall hear the said case without delay, and shall render a decision approving, setting aside, or modifying the said order, or fixing the terms upon which said permit shall be granted, and stating the reasons therefor.

Sewage is defined as any substance that contains any of the waste products or discharges from the bodies of human beings or animals, or chemical or other waste from domestic, manufacturing or other form of industry.

By organization in this regulation is meant municipality, company, corporation or institution.

Human Excreta—Sanitary Disposal. Public Toilets—Cleanliness. (Reg. Dept. of H., June 2, 1927)

REGULATION 49. Toilets, how constructed and located.—Section 1. All human excreta must be disposed of in sewers, properly constructed septic tanks, cesspools, or vaults. No cesspool or vault shall be located within 100 feet of any well, spring, stream, or cistern used as a source of domestic water supply, unless provided with a water-tight receptacle. No vault toilet shall be located within 25 feet of any dwelling. All toilets must be so constructed that flies can not come in contact with the toilet contents. All vaults must be cleaned when contents reach within 6 inches of the top of the vault, and at such other times as the local, county, or State health officer shall direct.

SEC. 2. No cesspool, privy vault, or septic tank shall be permitted where sewer

connection is available,

Sec. 3. Public toilets.—All toilets used by guests or patrons of any public place or place of business must be at all times be kept clean and free from dirt or filth, and the person, persons, firm, or corporation conducting such public place or place of business shall be responsible for the observance of this regulation, and it shall be the duty of the local or county health officer or his assistant to see that this regulation is enforced.

Garbage and Refuse-Keeping and Disposal. (Reg. Dept. of H., June 2, 1927)

[REGULATION 56.] Care and disposal of refuse and garbage.—Sec. 3. No house refuse, offal, garbage, dead animals, decaying vegetable matter, or organic waste matter of any kind shall be thrown upon any street, road, or public place; and no such refuse, putrescible or decaying animal, or vegetable matter shall be kept in any house, cellar, or adjoining outhouses or premises for more than 48 hours in any incorporated or unincorporated city, town, village, or built-up community. All receptacles for such garbage, etc., shall be so constructed as to be of sufficient dimensions for the reception of all garbage and shall be water-tight, made of tight-matched lumber or galvanized iron, and shall stand at least 9 inches from the ground, and be provided with a suitable cover which must be kept properly adjusted to same, so as to protect the contents from flies, insects, rats, and animals, or vermin. All garbage or refuse containers shall have their contents emptied at least once every 48 hours.

SEC. 4. No filling in or making of land by the dumping of rubbish or other material shall be done within, or in the vicinity of, any incorporated or unincorporated city or town limits unless approved by the health officer having

jurisdiction.

SEC. 5. Cities having in force ordinances for the disposal of refuse and garbage equivalent to those demanded by the State board of health are not affected by these rules.

Manure-Disposal. (Reg. Dept. of H., June 2, 1927)

REGULATION 50. Disposal of animal manure.—No person shall put any manure into any street, alley, or other highway within one-half mile of any house used as a residence. No person shall permit any manure to remain within 500 feet

of any house, used as a residence, located in an organized village or city, for a longer period than one week, unless such manure is contained in a fly-proof receptacle.

Dead Bodies—Transportation. Embalmers—Registration of Apprentices— Signing of Removal, Burial, or Transit Permits—Reports by—Registration—Preparation of Dead Bodies—Requirements for License. (Reg. Dept. of H., June 2, 1927)

[REGULATION 55.] Rules governing the transportation of the dead.—Sec. 14. Rule 1. The transportation of bodies dead of smallpox or bubonic plague from one State, Territory, District, or Province to another is absolutely prohibited.

Rule 2. The transportation of bodies dead of Asiatic cholera, yellow fever, typhus fever, diphtheria, (membranous croup), scarlet fever, (scarlatina, scarlet rash), erysipelas, glanders, anthrax, leprosy, measles, or other highly communicable diseases shall not be accepted for transportation unless prepared for shipment by being thoroughly disinfected by (a) arterial and cavity injection with an approved disinfecting fluid; (b) disinfection and stopping of all orifices with absorbent cotton; and (c) washing the body with the disinfectant, all of which must be done by an embalmer holding a certificate as such approved by the State board of embalmers.

After being disinfected as above, such body shall be enveloped in a layer of dry cotton, not less than 1 inch thick, completely wrapped in a sheet securely fastened, and incased in an air-tight zinc, tin, copper, or lead lined coffin or iron casket, all joints and seams hermetically sealed and all inclosed in a strong, tight, wooden box or the body being prepared for shipment by disinfecting and wrapping as above may be placed in a strong coffin or casket and said coffin or casket incased in an air-tight zinc, copper, or tin-lined box, all joints and seams hermetically soldered.

RULE 3. The bodies of those dead from typhoid fever, puerperal fever, tuberculosis, or other dangerous communicable diseases other than those specified in rules 1 and 2 may be received for transportation when prepared for shipment by arterial and cavity injection with an approved disinfecting fluid, washing the exterior of the body with the same, stopping all orifices with absorbent cotton, and incasing in a strong coffin or casket and inclosing same in a strong outside wooden box, all of which must be done by an embalmer holding a certificate as such approved by the State board of embalmers.

RULE 4. The bodies of those dead from any cause not stated in rules 2 and 3 may be received for transportation when prepared by an arterial and cavity injection with an approved disinfecting fluid; washing the exterior of the body with same, stopping all orifices with absorbent cotton, and incasing in a strong coffin or casket and inclosing in a strong outside wooden box, all of which must be done by an embalmer holding a certificate as such approved by the State board of embalmers.

RULE 5. In the shipment of bodies dead from any disease named in rule 2, such body must not be accompanied by persons or articles which have been exposed to the infection of the diseases, unless certified by the health officer as having been properly disinfected.

Before selling tickets, agents should carefully examine the transit permit and note the name of the passenger in charge, and of any others proposing to accompany the body, and see that all necessary precautions have been taken to prevent the spread of the disease. The transit permit in such cases shall specifically state who is authorized by the health authorities to accompany the remains. In all cases where bodies are forwarded under rule 2, notice must be sent by telegraph by the shipping embalmer to the health officer, or, when there is no health officer, to other competent authority at destination, advising the date and train on which the body may be expected.

Rule 6. Every dead body must be accompanied by a person in charge, who must be provided with a passage ticket and also present a full first-class ticket marked "Corpse" for the transportation of the body and a transit permit showing physician's or coroner's certificate, name of deceased, date and hour of death, age, place of death, cause of death, and all other items of the standard certificate of death recommended by the American Public Health Association and adopted by the United States Census Bureau, as far as obtainable, including health officer's or registrar's permit for removal, whether a communicable

when death is caused by any of the diseases specified in rules 2 and 3 the names undertaker's certificate as to how the body has been prepared for shipment. of those authorized by the health authorities to accompany the body, also the The transit permit must be made in duplicate, and the signature of physician or coroner, health officer, and undertaker must be on both the original and duplicate copies. The undertaker's or registrar's certificate and paster of the original shall be detached from the transit permit and securely fastened on the end of the coffin box. All coffin boxes must be provided with at least four handles. The physician's certificate and transit permit shall be handed to the passenger in charge of the corpse. The whole duplicate copy shall be sent to the official in charge of the baggage department of the initial line and by him to the secretary of the State or provincial board of health of the State or Province from which said shipment is made.

RULE 7. When bodies are shipped by express a transit permit, as described in rule 6, must be made out in duplicate. The undertaker's certificate and paster of the original shall be detached from the transit permit and securely fastened on the coffin box. The physician's certificate and transit permit shall be attached to and accompany the express way bill covering the remains and be delivered with the body at the point of destination to the person to whom it is consigned. The whole duplicate copy shall be sent by the forwarding express agent to the secretary of the State or provincial board of health of the

State or Province from which said shipment was made.

Rule 8. Every disinterred body, dead from any disease or cause, shall be treated as infectious or dangerous to the public health and shall not be accepted for transportation unless said removal has been approved by the State or provincial health authorities having jurisdiction where such body is disinterred, and the consent of the health authorities of the locality to which the corpse is consigned has first been obtained; and all such disinterred remains, or the coffin or casket containing the same, must be wrapped in a woolen blanket thoroughly saturated with a 1-1,000 solution of corrosive sublimate and inclosed in a hermetically soldered zinc, tin, or copper lined box. But bodies deposited in receiving vaults shall not be treated and considered the same as buried bodies, when originally prepared by a licensed embalmer as defined in rule 2 or as directed in rule 2 or 3 (according to the nature of the disease causing death), provided shipment takes place within 30 days from the time of death. The shipment of bodies prepared in the manner above directed by licensed embalmers from receiving vaults may be made within 30 days from time of death without having to obtain permission from the health authorities of the locality to which the body is consigned. After 30 days the casket or coffin box containing said body must be inclosed in a hermetically soldered box.

Sec. 15. Transportation of deceased persons in baggage cars—Rule 1. To

SEC. 15. Transportation of deceased persons in baggage cars—RULE 1. To railroad and station agents, train baggagemen, and express agents: The laws of North Dakota passed in 1909 require all embalmers in the State of North Dakota to be licensed. Only licensed embalmers can ship bodies from point to point in North Dakota, or from any point in North Dakota to any outside State. Only licensed embalmers are provided with shipping blanks by the North Dakota State board of embalmers. These are orange-colored blanks. Railway and express agents in North Dakota in receiving bodies for shipment must refuse

all but orange-colored shipping blanks.

Rule 2. You will in no case receive a corpse for transportation unless accompanied by a physician's or coroner's and board of health certificate, also an undertaker's certificate that the body has been prepared for burial and shipment in accordance with the rules of the State board of health, all on the proper blanks, nor will you receive it even with such certificate if fluids or offensive odors are escaping from the case. One full first-class limited or unlimited ticket will be required for the transportation of the corpse without regard to the age of the deceased and the word "corpse" must be plainly written on the face of a local and on each coupon of a coupon ticket. A corps will not be taken for transportation unless a passenger is in charge. A record must be made on the back of your station and trip reports, of all bodies shipped and carried, giving name of deceased, and destination.

RULE 3. It will be the duty of agents and baggage agents to see that each burial case is properly marked on "paster," giving date and at what station shipped, point of destination, "State," number and form of ticket, name of passenger in charge and place of residence, with name of agent. If the corpse

is destined to a point beyond the initial line, the initials of each road over which it passes must be written on the paster; also the terminal point of each road at which transfer is made with the connecting line, as shown on the

coupons of the ticket.

RULE 4. You will see that the "certificate of the undertaker" is properly filled out by him, and that the paster is properly filled out by yourself and is securely fastened on the end of the coffin box before it is put into the car, and the permit remaining in your hand given to the passenger in charge of the corpse.

RULE 5. The whole form must be made in duplicate, either with a pen, carbon paper, or simplex paper, and the signature of the physician or coroner and

undertaker must be on both the original and duplicate copies.

RULE 6. The undertaker's certificate and paster of the original will be detached from the physician's certificate and permit and fastened to the end of the coffin box. The physician's certificate and the permit will be handed to the passenger. The whole duplicate copy must be sent to the general baggage agent of the initial road by first passenger train.

All this information is necessary to insure the prompt and correct transporta-

tion of the corpse.

RULE 7. The transportation of dead human bodies, dead from any cause, from one registration district to another, by auto truck or other common carrier, shall be governed by the same laws, rules, and regulations with respect to their preparation, removal, and transit permits as govern the transportation by railroad, express set forth in regulations, and rule No. 7 of the State department of health except as follows:

RULE 8. When a body dead from a noncommunicable disease is transported to a distance not to exceed 25 miles, by a licensed embalmer, to his undertaking parlors for the purpose of preparation for burial, in which case all orifices shall be effectively closed with cotton and body wrapped in a sheet or blanket

saturated in a strong disinfectant solution.

RULE 9. When a body dead from a noncommunicable disease has been properly prepared for burial with all orifices closed and placed in a strong box or casket, it may be transported a reasonable distance, not to exceed 25 miles to the nearest cemetery for burial when accompanied by an ordinary removal or burial permit and a copy of the death certificate.

RULE 10. No person shall enter an apprenticeship with a licensed embalmer in this State without first registering his name and address with the State health officer, together with the name and address of the licensed embalmer with

whom he is an apprentice for the purpose of taking the examination.

Rule 11. No licensed embalmer shall sign a removal, burial, or transit permit except where the body was prepared in accordance with law by himself or by a bona fide registered apprentice working under his direct supervision and help.

RULE 12. All embalmers, undertakers, funeral directors, and coffin sellers shall be required to report to State health officer all burials and coffins sold by them by the fifth of each month for the month just preceding. Such report to include the name and address of deceased, name and address of embalmer, funeral director, undertaker, or coffin seller, stating whether or not a certificate was filed and with whom; who issued burial permit, with date and place of burial

Rule 13. All embalmers, undertakers, funeral directors, and coffin sellers doing business in North Dakota must register their names with the State health

officer before January 30 of each year.

Rule 14. The care and preparation of all bodies of persons dead from any cause shall be entirely private, and no one shall be allowed in the embalming room except the licensed embalmers and their assistants until the body is fully prepared and dressed, except by permission of the immediate family or coroner.

A candidate for a license to practice embalming in the State of North Dakota shall have had a minimum preliminary education equivalent to a 4-year high school and have served at least two years under a licensed embalmer and have attended a recognized school of embalming for a period of at least three months. He shall have attained his twenty-first birthday and have complied with all of the rules and regulations of the State board of embalmers and laws of the State regulating embalming. He shall have passed an oral and written examination in the following subjects. His average standing must not be below 75 nor below 60 in any one subject—anatomy, bacteriology, chemistry, funeral directing, physiology, practical embalming, sanitary science, State health laws, rules, and regulations.

Mental Defectives and Sexual Perverts—Sexual Sterilization. (Ch. 263, Act March 3, 1927)

Section 1. It shall be the duty of the superintendent or head of each State institution in the State of North Dakota, including the State penitentiary, the State hospital for the insane, the State training school, and the State hospital for the feeble-minded, to report quarterly to the board of examiners herein provided for all feeble-minded, insane, epileptic, habitual criminals, moral degenerates and sexual perverts, who are potential to producing offspring, who, because of inheritance of inferior or antisocial traits, would probably become a social menace or wards of the State.

SEC. 2. For the purpose of carrying into effect the provisions of this act, there is hereby created a board of examiners to consist of three competent physicians and surgeons who shall be appointed by the State board of administration upon recommendations made by the State medical board, each of whom shall serve during the pleasure of said board of administration. Such board shall

appoint one of its members as chairman and one as secretary.

SEC. 3. It shall be the duty of such board of examiners to examine into the innate traits, the mental and physical conditions, the personal records and the family traits and history of all persons reported so far as the same can be ascertained; and for this purpose, said board shall have the power to summon and examine witnesses and hold a hearing as hereinafter provided; and if, in the judgment of the entire board, procreation by any such person would produce children with an inherited tendency to feeble-mindedness, insanity. epilepsy, criminality or degeneracy, and there is no probability that the condition of such person so examined will improve to such an extent as to render procreation by any such person advisable, or if the physical or mental condition of any such person will be substantially improved thereby, then it shall be the duty of said board after such examination and hearing to make an order requiring such person to be sterilized.

SEC. 4. Each inmate so examined shall, before any order is made adjudging him to be a proper subject for sterilization, be entitled to a hearing before such board upon reasonable notice, and shall be entitled in his own behalf, or by anyone appearing for him, to offer evidence, either in the nature of expert testimony or otherwise, for the purpose of showing that he is not a proper subject for sterilization under the provisions of this act. Such notice of hearing shall be in writing and shall be served upon such inmate personally in all cases, and in cases of insane and feeble-minded persons upon their legal guardian, if any, and, if none, upon their nearest kin residing within the State

of North Dakota, and in case a minor upon his parents or guardian.

Sec. 5. The purpose of said examination, findings, and order of said board shall be for the betterment of the physical, mental, neural, or psychic condition of the inmate, or to protect society from the menace of procreation by said inmate, and not in any manner as a punitive measure; and no person shall be sterilized under the authority of this act except that such operation shall be found to be necessary to improve the physical, mental, neural, or psychic condition of the inmate, or to prevent such inmate from producing offspring that

would probably become a menace to society or wards of the State.

Sec. 6. After completing such examination and hearing, said board shall make separate written findings for each of the inmates so examined, and the same shall be preserved in the records of said board and a copy thereof shall be furnished to the superintendent or head of the institution in which the inmate is confined, and if an operation is deemed necessary by said board then a copy of the order of said board shall forthwith be served on the inmate, and in case said inmate is an insane or feeble-minded person upon his legal guardian, if any, and if none, then upon his nearest kin within the State of North Dakota, and in case such inmate is a minor, then upon his parents or guardian.

Sec. 7. Any such inmate desiring to appeal from the order of said board, or in case the inmate is under guardianship or is a minor, then the guardian of said inmate or the parents of such minor, as the case may be, may take an appeal to the district court of the county in which the institution where the inmate is confined is located. Notice of appeal shall be filed with the secretary of said board within 15 days after the date when the notice of said board's order is served upon the inmate, or his guardian, and said notice of appeal shall stay proceedings of said board on said matter until the same is heard

and determined on said appeal: Provided further, That no sterilization operation shall be performed upon any inmate until the time for appeal from the

order of the board has expired.

SEC. 8. Upon an appeal being taken, the secretary of said board where the notice of appeal is filed must within 15 days thereafter, or such further time as the court or the judge thereof may allow, transmit a certified copy of the notice of appeal and transcript of the proceedings, findings, and order of the board to the clerk of the court appealed to. The trial on appeal shall be de novo as provided by the statutes of the State for the trials of actions in equity. Upon such appeal, if the inmate be without sufficient financial means to employ an attorney, then the court shall appoint an attorney to represent the said inmate, and such attorney shall be compensated upon order of the court as in case of indigent defendants, and it shall be the duty of the State's attorney of the county wherein such trial is had to represent the said board.

Sec. 9. If the court shall affirm the findings of said board, said court shall enter a judgment, adjudging that the order of said board shall be carried out as herein provided; if the court fails to affirm the decision of said board appealed from, then said order shall be null and void and of no further effect.

appealed from, then said order shall be null and void and of no further effect. Sec. 10. Upon the receipt of the order from said board of examiners, the superintendent or head of the institution to which it is directed shall, after the time for appeal has expired, or in case of an appeal upon the entering of a judgment affirming the order of the board, and it is hereby made his lawful duty to perform or cause to be performed such surgical operation for the sterilzation of the inmate named therein as may be specified in the order of the board of examiners, provided that such operation shall not under any circumstances be by castration or ovariotomy except when organs are diseased. All such operations shall be performed with due regard for the physical condition of the inmate and in a safe and humane manner.

SEC. 11. No surgeon performing the operation provided for in the preceding sections shall be held criminally liable therefor or civilly liable for any loss or damage on account thereof, except in case of negligence in the performance

of such operation.

SEC. 12. The criminals who shall come within the operation of this law shall be those who are moral degenerate and sexual perverts or those who are addicted to the practice of sodomy or the crime against nature, or to other gross, bestial and perverted sexual habits and practices prohibited by statute.

SEC. 13. The provisions of this act shall apply to both male and female

inmates of any of the institutions designated therein.

SEC. 14. As compensation for their services as members of said board of examiners, each of them shall be entitled to a per diem of \$10 per day while in the actual performance of their duties and actual necessary expenses to be paid out of the funds of the institution where the services are performed upon the approval of the board of administration.

SEC. 15. The board of examiners shall keep all files and records in any proceeding had under the provisions of this act together with full minutes of all meetings of such board, and for that purpose the secretary of the board of examiners shall be the custodian of all records and files pertaining to pro-

ceedings had by such board.

SEC. 16. It shall be the duty of the chief medical officer of any institution in which any sterilized inmates are confined to make careful observations of each of such inmates, particularly with the view of ascertaining the effect of such operation upon the moral, mental and physical condition of such sterilized persons and shall annually make a written report to the board of examiners on each of such persons, and keep a copy thereof on file with the records of such institution.

SEC. 17. That sections 11429 to 11438, inclusive, of the Compiled Laws of North Dakota for 1913 be, and the same are hereby, repealed.

Insanitary Conditions Dangerous to Public Health—Investigation—Correction. (Reg. Dept. of H., June 2, 1927)

[REGULATION 8.] Sec. 2. Must make investigations.—Each health officer must investigate whenever and wherever he has reason to suspect that any unsanitary condition, dangerous to public health, exists within his district, and if such unsanitary condition is found to exist he shall order its removal within a specified time by a written notice served on the owner or agent of the property whereon such unsanitary condition exists; and if said owner or agent shall

fail to remove or remedy such unsanitary condition within the time specified in such written notice ,the health officer shall bring the matter to the attention of the county attorney and, if necessary, file a complaint against such owner or agent for maintaining an unsanitary condition dangerous to public health and in violation of the laws of the State and regulations of the State department of health.

Camps—Sanitary Requirements. (Reg. Dept. of H., June 2, 1927)

REGULATION 52. Standard railway sanitary code.—Hereafter contractors and other persons who may establish an industrial camp or camps, for the purpose of logging or any like industry, or for the purpose of construction of any road, railroad, or irrigation canal, or other work, or any other temporary or permanent industrial camp of whatsoever nature, shall report to the State health official concerning the location of such camp or camps, and shall arrange such camp or camps in a manner approved by the State health official, so as to maintain good sanitary conditions, and shall at all times keep such camp or camps in a sanitary condition satisfactory to the State health official. The rules governing construction camps contained in the standard railway sanitary code, which are a part of this regulation, shall govern all camps unless otherwise

REGULATION 53. SECTION 1. All tourist camps, night camps, recreation or instruction camps for the comfort or accommodation of tourists, boy scouts, or others, and designated as such by any municipality, individual or civic body, shall be regularly inspected every 30 days during the tourist season by the county or city health officer having jurisdiction. He shall make report of all unsanitary conditions and violations of the sanitary code pertaining to such

camp to the State health officer.

Sec. 2. The water supply of all tourist camps used for drinking and culinary purposes shall be accessible and free from dangerous contamination. All bored, dug, or drilled wells shall be thoroughly cleaned each year before using. The curbing, top covering, and drainage shall be so arranged as to prevent contamination from surface seepage.

SEC. 3. The local health officer shall see that all water supplies for tourist camps are examined microscopically by the public health laboratory of the State or by one of its authorized branches, every 30 days during the tourist

SEC. 4. The local health officer shall post a card at each water supply in a conspicuous place after each examination, stating that the water is or is not safe to drink, giving the time of examination, the name and location of the laboratory, and must have the signature of the person making the examination.

Sec. 5. All toilets must be weather tight, well ventilated, fly proof, and not closer than 100 feet from any water supply or eating places.

SEC. 6. Metal garbage cans with tight metal cover must be supplied in sufficient numbers to contain all garbage accumulated and emptied twice a week.

SEC. 7. A copy of all local rules, regulations, and ordinances governing tourist camps must be filed with the local and State health officer.

Barbers—Refusal to Issue or Renew and Suspension or Revocation of Certificate of Registration. Barber Shops and Barber Schools—Use of Certain Places as, Regulated—Sanitary Regulations Governing, Authorized—Inspection. (Ch. 101, Act March 7, 1927)

Sec. 15. Refusal and revocation of certificate.—The board [State board of barber examiners] may either refuse to issue or renew or may suspend or revoke any certificate of registration for any one or combination of the following causes:

3. Continued practice by a person knowingly having an infectious or contagious disease.

4. Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs.

7. The commission of any of the offenses described in section 18, subdivisions 3, 4, and 6.

Sec. 18. Certain acts prohibited: Each of the following are hereby declared a misdemeanor, punishable upon conviction of [by] a fine of not less than \$25 nor more than \$200.

6. The use of any room or place for barbering which is also used for residential purposes, unless a substantial partition of ceiling height separates the portion used for residential purposes from such room used for barbering.

SEC. 22. Rules, inspection, records.—The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary regulations for barber shops and barber schools, subject to the approval of the State department of health. Any member of the board or its agents or assistants shall have authority to enter and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations adopted by the board as approved by the State board of health shall be furnished by the board to the owner or manager of such barber shop or barber school, and such copy shall be posted in a conspicuous place in such barber shop or barber school.

SEC. 24. Name of act.—This act may be cited as the North Dakota barbers act, and the law now in effect relating to the same subject, being article 22 of chapter 5 of the Political Code of the Compiled Laws of the State of North Dakota for 1913, and all acts or parts of acts in conflict herewith are hereby expressly repealed.

Hairdressing and Cosmetology—Health Certificate Required from Persons Desiring to Practice—Prescribing of Sanitary Requirements Governing. (Ch. 157, Act March 5, 1927)

SEC. 11. Application for examination.—Each person who desires to practice any of the practices designated to be within the meaning of this act, shall file with the secretary of the said board [State board of hairdressers and cosmetologists], a written application, accompanied by a health certificate issued by a regularly licensed physician, under oath, on a form prescribed and supplied by said board, and shall submit satisfactory proof of the required age, educational qualifications, and of good moral character, and shall deposit with the secretary the required fees.

SEC. 20. Sanitary rules.—The said board shall, with the approval of the State board of health, prescribe such sanitary rules as it may deem necessary to be employed to prevent the creating and spreading of infectious and contagious diseases, and it shall be unlawful for the owner or manager of any hairdressing or cosmetician or cosmetological shop or school to permit any person to sleep in any room used wholly or in part as a hairdressing or cosmetological establishment. An operator may practice outside of such establishment under the direction and control of an owner or manager thereof under such regulations as the board may provide.

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Rabies—Quarantine of Dogs When Disease Declared Prevalent—Payments to Persons Bitten by Rabid Animals. (Act Filed in Office of Secretary of State May 12, 1927)

[This act, among other things, adds section 5652-16 to, and amends sections

5851 and 5852 of, the general code to read as follows:]

SEC. 5652-16. Board of health may declare quarantine when rabies exists; duty of dog warden to enforce; penalty.—Whenever in the judgment of any city or general health district board of health, or person or persons performing the duties of a board of health, rabies shall be declared to be prevalent, such board of health, or person or persons performing the duties of such board of health, shall declare a quarantine of all dogs in such health district, or part thereof. The quarantine so declared shall consist of the confinement of any dog or dogs on the premises of the owner or in a suitable pound or kennel if a pound or kennel is provided by the city or county; provided a dog may be permitted to leave the premises of the owner if under leash or under the control of the owner or other responsible person. The quarantine order herein authorized shall be considered an emergency and need not be published.

When a quarantine of dogs has been declared in any health district, or part thereof, it shall be the duty of the dog warden and all other persons having the authority of police officers to assist the health authorities in enforcing the

provisions of the quarantine order.

The penalty for the violation of the rabies quarantine order shall be the same as provided for the violation of other orders or regulations of the board of health.

Sec. 5851. Reimbursement of persons injured by dog or other animal having rabies.—A person bitten or injured by a dog, cat, or other animal afflicted with rabies, if such injury has caused him to employ medical or surgical treatment or required the expenditure of money, within four months after such injury and at a regular meeting of the county commissioners of the county where such injury was received, may present an itemized account of the expenses incurred and amount paid by him for medical and surgical attendance, verified by his own affidavit and that of his attending physician; or the administrator or executor of a deceased person may present such claim and make such affidavit. If the person so bitten or injured is a minor such affidavit may be made by his parent or guardian.

SEC. 5852. Commissioners to examine account; payment of account when allowed.—The county commissioners not later than the third regular meeting, after it is so presented, shall examine such account, and, if found in whole or part correct and just, shall order the payment thereof in whole or in part to the patient and to the physician who rendered such treatment, in accordance with their respective claims, but a person shall not receive for one injury a

sum exceeding \$200.

Drugs—When Deemed Adulterated or Misbranded. Food, Drink, Confectionery, and Condiments—When Deemed Adulterated. (Act April 26, 1927)

Section 1. That sections 5777, 5778, and 5784 of the general code be amended to read as follows:

Sec. 5777. A drug is adulterated within the meaning of this chapter (1) if when sold under or by a name recognized in the tenth decennial revision of the United States Pharmacopæia or in the fifth edition of the National Formulary it differs from the standard of strength, quality, or purity laid down therein; (2) if when sold under or by a name not recognized in the tenth decennial revision of the United States Pharmacopæ a or the fifth edition of the National Formulary but which is found in some other pharmacopæia or other standard work on materia medica it differs materially from the standard strength,

quality, or purity laid down in such work; (3) if its strength, quality, or purity falls below the professed standard under which it is sold; (4) if it is an imitation of or offered for sale under the name of another article; (5) if the contents of the package as or ginally put up shall have been removed, in whole or in part, and other contents shall have been placed in such package; (6) if it contains

any methyl or wood alcohol.

SEC. 5778. Food, drink, confectionery, or condiments are adulterated within the meaning of this chapter (1) if any substance or substances have been mixed with it, so as to lower or depreciate or injuriously affect its quality, strength, or purity; (2) if any inferior or cheaper substance or substances have been substituted wholly or in part for it; (3) if any valuable or necessary constituent or ingredient has been wholly or in part abstracted from it; (4) if it is an imitation of or is sold under the name of another article; (5) if it consists wholly or in part of a diseased, decomposed, putrid, infected, tainted, or rotten animal or vegetable substance or article, whether manufactured or not, or in the case of milk if it is the product of a diseased animal; (6) if it is colored, coated, polished, or powdered, whereby damage or inferiority is concealed, or if by any means it is made to appear better or of greater value than it really is; (7) if it contains any added substance or ingredient which is poisonous or injurious to health; (8) if when sold under or by a name recognized in the tenth decennial revision of the United States Pharmacopæia or the fifth edition of the National Formulary it differs from the standard of strength, quality, or purity laid down therein; (9) if when sold under or by a name not recognized in the tenth decennial revision of the United States Pharmacopæia or the fifth edition of the National Formulary but if found in some other pharmacopæia or other standard work on materia medica it differs materially from the standard of strength, quality, or purity laid down in such work; (10) if the strength, quality, or purity falls below the professed standard under which it is sold; (11) if it contains any methyl or wood alcohol.

SEC. 5784. A drug shall be misbranded within the meaning of this chapter (1) if the package fails to bear a statement on the label of the quantity or proportion of grain or ethyl alcohol, morphine, opium, cocaine, heroin, alpha or beta eucaine, chloroform, cannabis, chloral hydrate, acetanilid, or any derivative or preparation of such substances contained therein, provided that the provisions of this section shall not apply to the prescriptions of regular licensed physicians, dentists, and doctors of veterinary medicine, nor to such drugs and preparations as are officially recognized in the tenth decennial revision of the United States Pharmacopæia, or the fifth edition of the National Formulary, and which are sold under the name by which they are so recognized; (2) if the package containing it or any label thereon bears a statement, design, or device regarding it or the ingredients or substances contained therein, which is false or misleading in any particular; (3) if the package containing it or any label thereon bears or contains any statement, design, or device regarding the curative or the therapeutic effect of such article or any of the ingredients or substances

contained therein, which is false and fraudulent.

SEC. 2. That original sections 5777, 5778, and 5784 of the general code be and the same are hereby repealed.

Habit-Forming Drugs—Purchase, Sale, Possession, and Dispensing. Certain Drug Addicts—Commitment for Treatment. (Act May 2, 1927)

Section 1. That section 12672 of the general code be amended to read as follows:

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SEC. 12672. Whoever purchases, sells, barters, furnishes, or gives away, directly or indirectly, or has in his possession for the purpose of selling, bartering, furnishing, or giving away, directly or indirectly, any quantity of cocaine, alpha or beta eucaine, alypin, morphine, heroin. opium, can[n]abis indica, can[n]abis sativa, or marijuana, or any of their alkaloids, salts, derivatives or compounds or any synthetic equivalent thereof either as to the physical properties or physiological action, or has in his possession, for the purpose of using to satisfy the craving for any of the above-named drugs or substances, except upon the original written prescription of the physician, dentist, or veterinary surgeon duly licensed under the laws of the State, and having a Federal permit to prescribe narcotic drugs when prescribing for their patients for actual and necessary purposes in the proper practice of their respective professions, which prescription shal contain the name and address of the patient, the date of issue, the written signature, the address, and Federal permit number of the

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physician, dentist, or veterinary surgeon issuing it, the specific directions for use as provided for under Federal narcotic law and regulations, or fails to keep such prescription in a separate file for at least two years, in such manner that it is accessible at all reasonable times to the inspection of the proper officer or officers of the law, and to the State department of agriculture or anyone acting in its behalf, or fills said prescription more than once, shall be fined not less than \$50 nor more than \$500 for the first offense, and for each subsequent offense shall be fined not less than \$100 nor more than \$500 or imprisonment in the penitentiary not less than one pear nor more than five years, or both at the discretion of the court. If it be made to appear to the court that the person so convicted is addicted to the use of any of the above-named drugs or substances, the court, with the consent of the convicted person, may commit such person to a hospital or other institution for the treatment of such person. Any person who is not a wholesale dealer in drugs or who is not a pharmacist, physician, dentist, or veterinary surgeon, who possesses any of the above-named drugs or substances, when not permitted, or any person who is not a wholesale dealer in drugs or a pharmacist, physician, dentist, or veterinary surgeon who writes, changes, or misrepresents a prescription or order form for narcotic drugs, or has in his possession or procures or attempts to procue any of the above-named drugs or substances on a changed or misrepresented prescription or order form shall be fined not less than \$200 nor more than \$500 or imprisoned not less than one year nor more than five years in the penitentiary, or both at the discretion of the court.

This section does not extend to sales at wholesale of any quantity of the above-named drugs or substances to duly registered pharmacists, physicians, dentists, or veterinary surgeons, unless such sales, possession or use thereof is for the purpose of satisfying the cravings for such drugs or substances named. This section does not extend to preparations sold, or to the prescription of preparations sold, or the refilling thereof, when they do not contain more than 2 grains of opium, or not more than one-fourth grain of morphine, or not more than one-eighth grain of heroin, or not more than one-eighth grain of alpha or beta encaine, or not more than 1 grain of codeine, in one fluid ounce, if a liquid, or, one avoirdupois ounce, if a solid or not more than 20 grains per ounce of solid extract of can[n]abis indica or can[n]abis sativa or marijuana. This section does not extend to the dispensing, administering or giving away of any of the above-named drugs or substances by a licensed physician, dentist, or veterinary surgeon to a bona fide patient under the personal attendance of such physician, dentist, or veterinary surgeon, occurring in the regular practice of their respective professions: Provided, however, That such dispensing, administering, or giving away is not for the purpose of evading the provisions of

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SEC. 2. That existing section 12672 of the general code be and the same is hereby repealed.

Streams and Water Supplies-Funds for Correction of Conditions Causing Pollution of. Communicable Diseases-Borrowing of Money to Prevent Spread of, in Emergency. (Act May 11, 1927)

[This act, among other things, amends sections 1259 and 1259-1 of, and adds

section 2293-7 to, the general code to read as follows:]

SEC. 1259. How funds provided .- Each municipal council, department, or officer having jurisdiction to provide for the raising of revenue by tax levies, sale of bonds, or otherwise shall take all steps necessary to secure the funds for any such purpose or purposes. When the funds are secured, or the bonds therefor have been sold in accordance with law such funds shall be considered as in the treasury and appropriated for such particular purpose or purposes, and shall not be used for any other purpose. Contracts for expenditure from such funds shall not be valid unless approved by the director of health.

SEC. 1259-1. Duty of State tax commission; duty of taxing authority; exemption from limitations.-If the tax commission of Ohio certifies to the director of health that the municipal corporation is unable to comply with the provisions of the foregoing section without a vote of the electors by reason of existing debt and tax limitations, the director of health may find that an emergency exists requiring the immediate issue of bonds. When such finding approved by the governor is certified to the taxing authority of the muncipality, it shall, first, provide such funds as can be provided without a vote of the electors; second, issue bonds without such vote which bonds shall be outside of the 1 per cent limitation provided by section 2293-14 of the general code but within the limitation of 5 per cent provided thereby, but nothing herein shall prevent the application to such bonds of the provisions of subsection (d) of section 2293-14 to the extent that the income from the improvement made under order of the director of health is sufficient to cover the cost of all operating expenses and debt charges on said bonds or part thereof; third, if sufficient funds can not be produced by the first and second method, issue bonds without vote of the electors outside of the 5 per cent limitation provided by such section in the amount required to provide the balance necessary. The certificate of the tax commission of Ohio as to the amount of such balance necessary shall be final. The debt charges on bonds issued under order of the director of health outside of the 1 per cent or 5 per cent limitations prescribed by section 2293-14 of the general code shall be outside of the 15-mill limitation prescribed by law, but the net indebtedness on bonds heretofore issued under authority of section 1259 of the general code and hereafter issued under the authority of this section shall never exceed 3 per cent of the total value of all property in such municipality as listed and assessed for taxation.

Sec. 2293-7. Bonds issued for emergency purposes; tax levies to retire such bonds.—In case of epidemic or threatened epidemic, or during an unusual prevalence of a dangerous communicable disease, if it is determined by the tax commission of Ohio that funds are not otherwise available, the taxing authorities may borrow money and issue notes (a) to defray those expenses which the local board of health deems necessary to prevent the spread of such disease. Such notes shall mature one-half on March 1 next following the next February tax settlement at which, in accordance with the ordinary budget procedure, a tax to pay such notes can be included in the budget, and one-half on the following September 1, and a tax shall be levied to pay such notes, which tax

shall be outside of all limitations of law.

County Sewer Districts—Establishment, Powers, and Duties—Construction, Operation, and Maintenance of Sewerage Systems and Water Supply Systems. (Act Filed in Office of Secretary of State May 11, 1927)

Section 1. That sections 6602-1, 6602-1b, 6602-2, 6602-3, 6602-4, 6602-4a, 6602-5, 6602-6, 6602-8c, 6

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Sec. 6602-1. For the purpose of preserving and promoting the public health and welfare, the boards of county commissioners of the several counties of this State may, by resolution, lay out, establish, and maintain one or more sewer districts within their respective counties, outside of incorporated municipalities, and may cause to be made by a competent sanitary engineer such surveys as may be necessary for the determination of the proper boundaries of such districts. Each district shall be designated by an appropriate name or number. Any board of county commissioners may acquire, construct, maintain, and operate such main, branch, intercepting, or local sewer or sewers within any such sewer district, and such outlet sewer or sewers and sewage treatment or disposal works within or without such sewer district, as may be necessary to care for and conduct the sewage or surface water from any or all parts of such sewer district to a proper outlet, so as to properly treat or dispose of same. Any such board of county commissioners may employ a competent sanitary engineer for such time or times, on such terms as they deem best, and may authorize such engineer to employ necessary assistants upon such terms as may be fixed by said board. In any county having a population exceeding 100,000 the board of county commissioners may create and maintain a sanitary engineering department, to be under their supervision and in charge of a competent sanitary engineer, to be appointed by such board of county commissioners, for the purpose of aiding them in the performance of their duties under sections 6602-1 to 6602-14, inclusive, of the general code, or their other duties regarding sanitation provided by law; and said board shall provide suitable rooms for the use of such department and shall provide for and pay the compensation

of such engineer and all necessary expenses of such engineer and department which may be authorized by such board. Any such sanitary engineer in charge of such sanitary engineering department, so appointed by such board of county commissioners, may, with the approval of such board, appoint necessary assistants and clerks and the compensation of any such assistants and clerks shall be fixed and paid by such board. The board of county commissioners may make, publish and enforce rules and regulations for the construction, maintenance, protection and use of sewers and sewer improvements in their respective counties outside of incorporated municipalities, and of sewers and sewer improvements within incorporated municipalities in their respective counties wherever such sewers are constructed or operated by such board or discharge into sewers or sewage treatment plants constructed or operated by such board, including the establishment and use of connections. Such rules and regulations shall not be inconsistent with the laws of the State of Ohio or the rules and regulations of the State department of health. No sewers or sewage treatment works shall be constructed in any county outside of incorporated municipalities by any person, firm, or corporation, until the plans and specifications for the same shall have been approved by the board of county commissioners, and any such construction shall be done under the supervision of the county sanitary engineer, and any person, firm, or corporation, proposing or constructing such improvements, shall pay to the county all expenses incurred by the commissioners in connection therewith. The sanitary engineer shall have the right to enter upon any public or private property for the purpose of making surveys or examinations necessary for the laying out of sewer districts or designing sewers or treatment works, and to make such surveys and examinations. No person, firm, or corporation shall forbid or interfere with the sanitary engineer or his duly authorized assistants entering upon such property for such purpose or making such surveys or examinations. If, however, actual damage is done to property by the making of such surveys and examinations, the commissioners shall pay the reasonable value of such damage to the owner of the property damaged, and such cost shall be included in the assessment upon the property benefited by the improvement for which such surveys and examinations are made.

Any person or persons who tamper with or damage any sewer or sewage disposal plant constructed under sections 6602–1 to 6602–14, inclusive, of the general code, or any apparatus or accessory connected therewith or pertaining thereto, or make any connection into any such sewer or sewage disposal plant without permission of the board of county commissioners or in a manner or for a use other than as prescribed by such board, or refuses to permit the inspection by the sanitary engineer of any such connection, or any person or persons violating any provisions of sections 6602–1 to 6602-14, inclusive, of the general code, shall be liable to a fine not exceeding \$100 to be paid on conviction of such violation. All fines imposed and collected shall be paid into the county treasury and credited to any county sewer improvement or maintenance

fund as the county commissioners shall direct.

Sec. 6602-1b. The authority of the board of county commissioners to provide sewer improvements and to maintain and operate the same within sewer districts, which include a part or all of the territory within one or more incorporated municipalities, shall be the same as provided by law within sewer districts wholly outside of municipalities, including the levying of assessments; Provided, however, That such authority, except as hereinafter provided, shall be limited to main works only, and shall not include construction and maintenance of lateral sewers for local service within such municipality; and further provided that the plans, specifications, and estimated cost for any improvement within the corporate limits of such municipality shall be approved by the council of such municipality prior to the letting of any contract for the construction thereof. All road surfaces, curbs, sidewalks, sewers, water pipes, or other public property disturbed or damaged by such construction shall be restored to their original condition within a reasonable time by the board of county commissioners, and the cost thereof shall be a part of the cost of such improvement. After such main works are constructed, such municipality shall have the right to use the same as an outlet for branch and local sewers constructed by such municipality for the service and use only of that part of such municipality as lies within the area assessed or to be assessed for the cost of such main works, subject to such rules and regulations as may be established

by the board of county commissioners and subject to all requirements of the

State department of health.

At any time after a sewer district is established comprising or including a part or all of the territory within any municipality, the council of such municipality may by ordinance or resolution authorize the board of county commissioners to proceed with the construction or the maintenance, repair, and operation of any sewer improvement for local service within such municipality. After such authority has been granted, the board of county commissioners may proceed with the construction, or the maintenance and operation, of said improvement in the same manner as provided by law for improvements in sewer districts wholly outside of municipalities, under the same

restrictions as hereinbefore provided for main works.

SEC. 6602-2. After the establishment of any sewer district the county commissioners shall have prepared by the county sanitary engineer a general plan of sewerage and sewage disposal for such district, as complete as can be made at that time. After such general plan has been approved by them they shall have prepared, by the county sanitary engineer, detailed plans, specifications, and estimates of cost of such part or parts of the improvement as it is necessary to then construct, together with a tentative assessment of the cost based on such estimate. Such tentative assessment shall be for the information of property owners, and shall not be certified to the auditor for collection. Such detailed plans, specifications, estimates of cost, and tentative assessment, as so prepared by the engineer and approved by the board, shall be carefully preserved in the office of the board of county commissioners or the county sanitary engineer and shall be open to inspection of all persons interested in such improvements. After approval of the detailed plans, specifications, estimates of cost, and tentative assessment, the board of county commissioners shall adopt a resolution declaring that such improvement or improvements, describing the same and the location, route, and termini thereof, are necessary for the preservation and promotion of public health and welfare, designating the character of the materials to be used, referring to the plans, specifications, estimates of cost, and tentative assessment, stating the place where they are on file and may be examined, the estimated cost of the maintenance of such improvement for one year, what part of the cost will be paid by the county at large and what part will be specially assessed against the benefited property within the sewer district. Such resolution shall also contain a description of the boundaries of that part of the sewer district to be assessed, and shall designate a time and place, to be fixed by the board, when and where objections to the improvement, to the tentative assessment, or to the boundaries of the assessment district will be heard by the board. The date of such hearing shall be not less than 24 days after the date of the first publication of such resolution. The board of county commissioners shall cause such resolution to be published once a week for two consecutive weeks in a newspaper of general circulation within the county, and on or before the date of the second publication shall send by mail a notice of the time and place of such hearing to every owner of property to be assessed for such improvement whose address is known, and such notice shall state that the property of the addressee will be assessed for such improvement. Notice of such hearing shall be mailed to the clerk of any municipality any

part of which lies within the assessment district. A hearing shall be granted by the board to all parties interested at the time and place fixed by such resolution and notice. Written objections to or indorsements of the proposed improvement, the character and termini thereof, the boundaries of the assessment district or the tentative assessment shall be received by the board for a period of five days after the hearing and no action shall be taken by the board in the matter until after such period shall have elapsed. The minutes of the hearing shall be entered on the journal of the commissioners, showing the persons who appear in person or by attorney and all written objections shall be preserved and filed in the office of the board.

SEC. 6602-3. After the expiration of the period of five days provided for the filing of written objections, the board of county commissioners shall determine whether or not they will proceed with the construction of such improvement or improvements, and, if they shall decide to proceed therewith, the board shall ratify or amend the plans for the improvement, the character, and termini thereof. the boundaries of the assessment district and the tentative assessment, and may cause such revision of plans, boundaries, or assessments as the board may consider necessary, to be made by the county sanitary engineer. If the bound-

aries of the assessment district are amended so as to include any property not included within the boundaries as established by the resolution of necessity, the owners of all such property shall be notified by mail if their addresses are known, and notice shall be published once a week for two consecutive weeks in a newspaper of general circulation within the county, that such amendments have been adopted and that a hearing will be given by the board at a time and place stated in such notice, at which all persons interested will be heard by the board. The date of such hearing shall be not less than 24 days after the first publication of such notice, and the hearing shall be conducted and records kept in the same manner as the first hearing. Five days shall be allowed for the filing of written objections as hereinbefore provided for the first hearing and after the expiration of such five-day period the board shall ratify the plans for the improvement, the character and termini thereof, the boundaries of the assessment district and the tentative assessment, or shall further amend the same. If the boundaries of the assessment district are amended so as to include any property not included in the assessment district as originally established or previously amended, further notice and hearing shall be given to the owners of such property in the same manner as for the first amendment of such boundaries, and the same procedure repeated until all property owners affected have been given an opportunity to be heard: Provided, however, That if the owners of all property added to an assessment district by amendment of the original boundaries thereof shall waive objection to such amendment in writing, no further notice or hearing shall be given. After the board shall have ratified the plans for the improvement, the character and termini thereof, the boundaries of the assessment district and the tentative assessment, either as originally presented or as amended, and if they shall decide to preceed therewith, a resolution, to be known as the improvement resolution, shall be adopted by such board. Said improvement resolution shall declare the determination of such board to proceed with the construction of the improvement or improvements provided for in the resolution of necessity, in accordance with the plans and specifications provided for such improvement or improvements as ratified or amended and whether bonds or certificates of indebtedness shall be issued in anticipation of the cellection of special assessments, as hereinafter provided, or that money in the county treasury unappropriated for any other purpose be appropriated to pay for said improvement or improvements.

Sec. 6602-3a. After the passage of the resolution to proceed with such improvement no further action shall be taken or work done in connection therewith until 10 days have elapsed. If at the expiration of such period no appeal has been effected by any property owner, as provided in sections 6602-3b to 6602-3q, inclusive, of the general code, as the same are hereby enacted, the action of the board shall be final and conclusive and the board may proceed to issue and sell bonds or certificates of indebtedness and to construct such improvement. If, at the end of 10 days, any owner of property to be assessed or taxed for the improvement shall have effected such appeal, then said work shall not be proceeded with until the matters appealed from shall have been

disposed of in court.

Sec. 6602-3b. Any owner of property to be assessed or taxed for any improvement under sections 6602-1 to 6602-14, inclusive, or under sections 6602-17 to 6602-33, inclusive, of the general code, may appeal to the probate court from the action of the board of county commissioners in determining to proceed with the improvement in regard to any of the following matters:

1. The necessity of the improvement, including the question whether the cost of the improvement will exceed the benefits resulting therefrom.

2. The boundaries of the assessment district.

3. The tentative apportionment of the assessment.

Provided, however. That such appeal be effected within 10 days after the passage of the resolution to proceed with the improvement. Such property owner may also appeal from the decision of the board in refusing to grant the prayer of any petition for improvements under this act: Provided, however, That in case the State department of health shall have made an order declaring that any improvement is necessary for the public health and welfare as provided in section 6602-8d or section 6602-28 of the general code, no property

owner shall have the right to appeal from the action of the board of county

commissioners declaring such improvement necessary.

Sec. 6602-3c. Any person, firm, or corporation desiring to appeal to the probate court, when the improvement is located in two or more counties, may

appeal to the probate court of the county in which property of such appellant to be assessed for such improvement is located in the manner hereinafter

provided.

Any person, firm, or corporation desiring to appeal from the final order or judgment of the county commissioners upon any of said questions shall on or before the date of the passage of the improvement resolution give notice in writing of an intention to appeal, specifying therein the matters to be appealed from. The commissioners shall fix the amount of the bond to be given by the appellant, which shall be reasonable, and cause an entry thereof to be made upon their journal. The appellant within 10 days thereafter shall file, with the auditor, a bond in the amount so fixed with sureties to be approved by the auditor, and such bond shall be conditioned to pay all costs made on the appeal if the appellant fails to sustain such appeal or the same is dismissed.

SEC. 6602-3d. In case the petition for an improvement is dismissed or the prayer thereof be not granted, then a person, firm, or corporation desiring to appeal therefrom must give the notice hereinbefore provided on the date when the order is made dismissing said petition, or refusing to grant the prayer

thereof, and file the bond required within the time prescribed herein.

Sec. 6602-3e. The guardian of minors or other persons under disability may appeal to the probate court as aforesaid, without giving bond for the payments of costs, provided, however, that the taking of such appeal be first authorized by the court which appointed such guardian. The probate court shall, however, cause an entry showing such disability to be made on the journal. The estates of such persons shall be liable for all costs adjudged against them or their legal representatives.

Sec. 6602-3f. Within 10 days after the filing of such appeal bond or the making of the entry as aforesaid the county commissioners shall transmit to the probate court the original papers in the proceedings, and a certified transcript of the record of said commissioners of all proceedings in connection therewith. Upon receipt thereof, the probate judge shall forthwith docket the cause and the appellants shall be designated as the plaintiffs and the county commis-

sioners shall be designated as defendants.

Sec. 6602-3g. The probate judge shall designate a day not exceeding five days thereafter for the hearing of all preliminary questions and motions on said appeal, and for the examination of the papers and proceedings. On the day so fixed all preliminary motions and questions arising upon the appeal shall be heard and determined, and if the probate court finds that the proceedings are irregular, or that the appeal is not perfected according to law, he shall dismiss such appeal at the cost of the appellants and certify such dismissal with his proceedings thereon to the county commissioners. The court may

waive technical defects, errors, or omissions in such proceedings.

Sec. 6602-3h. If the probate judge finds that said appeal has been properly perfected, and that said proceedings are substantially regular, he shall fix a day, not more than 20 days thereafter, for the trial of the case, and shall cause to be published at least twice, in a newspaper of general circulation within the county, a notice that such appeal has been made and stating the time and place of such trial; such first publication to be at least 15 days before such trial and the second publication to be at least 8 days before such trial. At the time so fixed the parties shall offer their evidence to the court upon the matters appealed from. The rules of law and procedure governing civil cases in the common pleas court shall apply to the trial of the cause in the probate court.

SEC. 6602-3i. If more than one party appeal, in regard to the same improvement, the probate court shall order the cases to be consolidated and tried together, but the rights of each person, firm, or corporation, as to the inclusion of their property in the assessment district or as to the apportionment of the tentative assessment, shall be separately determined by the court in its verdict.

SEC. 6602-3j. At the conclusion of the trial, the court shall find separately upon each claim for adjustment of the apportionment of the tentative assessment, if the judgment of the county commissioners in reference to apportionment of such assessment be appealed from. The court shall determine whether the improvement petitioned for or granted will be necessary for the public health, convenience, or welfare, or whether the cost thereof will exceed the benefit resulting from such improvement, or whether the boundaries of the assessment district should be modified, if an order establishing the proposed

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improvement or dismissing or refusing to grant the prayer of the petition or establishing the boundaries of the assessment district be appealed from.

In case the court shall find that the cost of improvement will exceed the benefit resulting therefrom, he shall declare that the improvement is not necessary for the public health, convenience, or welfare: Provided, however, That no property shall be added to the assessment district until the owners thereof have been given an opportunity to be heard by the court. A notice of such hearing shall be served on such property owners by the court in the manner provided by law for the service of summons in civil actions. If such owners are not residents of the county, or if it appears by the return in any case of the notice, that such owner can not be found, the notice shall be published at least twice in a newspaper of general circulation within the county, and the date of such hearing shall be at least one week after service of notice or of the second publication of such notice. If a new trial shall not be granted for cause shown, the probate court shall render a judgment ordering such modification of the tentative assessment, or of the boundaries of the assessment district, if any, as may be determined by the court. He shall also make a finding for or against the improvement. In case of error proceedings to the common pleas court, a bill of exceptions shall be allowed as in cases in the common pleas court.

SEC. 6602-3k. The probate judge shall make a record of all proceedings before him, and tax the cost in favor of the prevailing party and against the losing party. If more than one matter be appealed from, and a party prevail as to one matter and lose as to another, the court shall determine how much of the costs each party shall pay. The costs on motions or continuance and the like shall be taxed and paid as the court directs. If there are several persons upon the side taxed with costs the court shall apportion the costs equitably among them, and in case several persons are interested on one side of the case and part of them fail, the court shall make such order as to costs as he shall deem just and equitable. In cases not hereinbefore specifically provided for, the court shall render such judgment in respect to costs as is equitable, and the county commissioners shall pay any costs adjudged against

them out of the county treasury.

Sec. 6602-31. If appeal has been made in reference to the necessity of the improvement and it appears from such transcript, certified to the board by the probate judge, that the proposed improvement is not necessary for the public health, convenience, and welfare, or that the cost thereof will exceed the benefits resulting from such improvement, the improvement shall be abandoned by the board of county commissioners. If it appears from such transcript that the improvement is necessary for the public health, convenience, and welfare and that the cost thereof will not exceed the benefits resulting there-

from, the board may proceed with the improvement.

Sec. 6602-3m. If appeal has been made in reference to the boundaries of the assessment district or to the tentative assessment and it appears from such transcript, certified to the board by the probate judge, that the boundaries of the assessment district should be changed or that the tentative assessment should be modified, the board of county commissioners may make such changes or modifications and proceed with the improvement, provided that the necessity of such improvement has not been denied by the court or the cost thereof found to exceed the benefits resulting from such improvement.

Sec. 6602-3n. If an appeal is taken from the order of the county commissioners dismissing or refusing to grant the prayer of the petition, and the probate court find in favor of such improvement, the probate court shall render judgment establishing such improvement, unless a new trial is granted by the probate court, and the said improvement shall henceforth be established unless

the judgment of said court be reversed by proceedings in error.

Sec. 6602-30. For their rervices required on appeal the officers and other persons herein mentioned shall be entitled to the fees and compensation which

they are entitled to by law for like services in other cases.

Sec. 6602-3p. The final judgment of the probate court may be reviewed by proceedings in error or appeal as in other cases. If error or appeal is prosecuted to the judgment of the probate court as to the question of necessity of the improvement, no action shall be taken by the board of county commissioners in proceeding with the improvement until such proceedings are finally disposed of. If error or appeal is prosecuted to the judgment of the probate

court as to the inclusion of any property in the assessment district or as to the apportionment of the tentative assessment the board may proceed with the improvement in accordance with the transcript of the probate court and shall thereafter adjust such matters in accordance with the final adjudication in

regard thereto.

Sec. 6602-3q. Any court in which action is brought to enjoin, reverse, or declare void, the proceedings by which any improvement has been made, or ordered to be made under sections 6602-1 to 6602-14, inclusive, or sections 6602-17 to 6602-33, inclusive, of the general code, or to enjoin a collection of a tax or assessment levied for such purpose, or any part thereof, or to which appeal is taken under section 6602-3b of the general code, as the same is hereby enacted, to declare the improvement unnecessary or to amend the boundaries of any assessment district, or to modify the tentative assessment prior to the construction of any improvement, if there is manifest error in such proceedings affecting the right of the plaintiff in such action, may set such proceedings aside as to him, without affecting the rights or liabilities of the other parties in interest.

The court shall allow parol testimony that said improvement will be conducive of the public health, convenience, and welfare, and that any steps required by law for an improvement have been substantially complied with, notwithstanding any errors or defects in any record required to be kept by any board or officer, and without finding error the court may correct any gross injustice in the assessment made by the commissioners. The court, on the final hearing, shall make such order in the premises as it may deem just and equitable, and order any tax or assessment levied against the plaintiff to remain on the duplicate for collection, or order it to be levied in whole or in part, or perpetually enjoin it or any part thereof, or if it has been paid under protest, order the whole or such part thereof as it may deem proper to be refunded. The cost of such action shall be apportioned among the parties, or paid out of the

county treasury as the court may direct.

Sec. 6602-4. For the purpose of paying a part or the whole of the cost of construction, maintenance, repair, or operation of any improvement provided for in sections 6602-1 to 6602-14, inclusive, of the general code, or for paying the sanitary engineer provided for under the provisions of this act, and for paying his assistants and all his other necessary expenses, the board of county commissioners may borrow money at the rate of not exceeding 6 per cent per annum on certificates of indebtedness to be signed by its president and clerk; such certificates of indebtedness shall be made payable at a time not more than five years from their date; or, for such purposes, the board of county commissioners may issue bonds as herein provided, or may appropriate money from any funds in the county treasury available. After the adoption of the improvement resolution, to provide means to pay the cost of any such improvement the board of county commissioners shall, by resolution of said board, appropriate money from any funds in the county treasury available for that purpose, authorize the issuance of certificates of indebtedness, or authorize the issue of bonds of the county in an amount not exceeding the estimated cost thereof by more than 10 per cent, plus such amount as shall be necessary to pay the installments of interest on such bonds or on certificates of indebtedness to accrue before the first installment of taxes and assessments hereinafter provided for shall be collected. Such certificates of indebtedness may be issued, delivered, and paid for in installments as required by the progress of the work, and when so sold to a responsible purchaser by valid contract such certificates shall be deemed to be sold and in process of delivery. Such certificates shall bear interest from the date of issuance of each installment. In case money has been borrowed on certificates of indebtedness as herein authorized, bonds may be later issued and sold to retire such certificates of indebtedness. Such bonds shall state the particular improvement or improvements on account of which they are issued and the date or resolution or order of the board directing their issuance. Such bonds may bear interest at a rate not exceeding 6 per cent per annum; payable semiannually; may be of such denominations and payable at such time and place as the board of county commissioners shall provide; and may be issued from time to time as the work progresses and advertised and sold as other county bonds are required to be advertised and sold.

Sec. 6602-4a. Any and all funds arising from premiums on bonds sold under the provisions of sections 6602-1 to 6602-14, inclusive, of the general code, and accrued interest thereon, and also interest earned on the funds realized from

the sale of said bonds placed on interest under sections 2715 to 2745, general code, shall be credited to the bond and interest fund established for the redemption of the bonds so sold. On the completion of any improvement, any surplus fund arising from the sale of bonds or certificates of indebtedness for such improvement in amount exceeding the actual cost of such improvement, including incidental costs as set forth in this act, shall be paid into the sinking fund and credited to the bond and interest fund established for the redemption of such bonds.

SEC. 6602-5. After the issuance and sale of bonds or certificates of indebtedness, as provided in sections 6602-1 to 6602-14, inclusive, of the general code, the board of county commissioners shall enter into a written contract with the lowest and best bidder for the construction of such improvement or improvements, after advertising for sealed proposals for such construction not less than two nor more than four consecutive weeks in a newspaper published and of general circulation within the county. The bids shall be opened at 10 o'clock a. m., on the last day for filing the same, by the board of county commissioners, and publicly read. Each bid shall contain the full name of each person or company interested in the same, and shall be accompanied by a bond or certified check on some solvent bank within the county, conditioned that if the bid is accepted a contract will be entered into and its performance properly secured, as shall be stated in the advertisements and proposals. In each bid the price of labor and materials shall be separately stated. Such board may reject any and all bids. The contract shall be between the board of county commissioners and the bidder, and the board shall pay the contract price in cash. Such payment may be made in proper installments as the work progresses. When there ment may be made in proper installments as the work progresses. is reason to believe that there is collusion or combination among the bidders, the bids of those concerned therein shall be rejected. Whenever it becomes necessary, in the opinion of such board, in the prosecution of any such work or improvements, to make alterations or modifications in such contract, such alterations or modifications shall only be made by such board by resolution, and such resolution shall be of no effect until the prices to be paid for work or material, or both, caused by such alterations or modifications, shall have been agreed upon in writing, and signed by the contractor and said board, and no contractor for any such work shall be allowed to recover anything for additional work or materials required by any alterations or modifications nor for any other cause due to such alterations or modifications unless such contract is made as aforesaid, nor shall he in any event be allowed to recover for such work or materials, or other cause, more than the agreed price. The money derived from the lawfully authorized bonds or certificates of indebtedness sold as hereinbefore provided shall not thereafter be considered unappropriated until

the county is fully discharged from such contract or contracts.

Sec. 6602-6. Whenever the owners of all the lots and lands to be benefited by, and to be assessed for, any sewer improvement or sewage-treatment works, provided for in sections 6602-1 to 6602-14, inclusive, of the general code, shall, by petition in writing, request the board of county commissioners to provide for the construction, maintenance, and operation of any such improvements, describing the improvement or improvements desired and the lots and lands owned by them respectively to be assessed to pay the cost and maintenance of such improvement or improvements, and consenting that their said lots and lands may be assessed to pay the cost of such improvement and of maintenance and operation as provided in said sections, and shall waive notice and the publication of all resolutions and legal notices provided for in said sections, the board of county commissioners shall have prepared the necessary plans, specifications, and estimates of cost of construction, maintenance, and operation thereof, and a tentative assessment, and when all the owners of the lots and lands to be benefited by and assessed for the proposed improvement shall in writing state that they have examined the estimated cost and tentative assessment as made by the county sanitary engineer, that they have no objection thereto, and that in case bonds are sold prior to the construction of the improvement they waive their right of option to pay the assessments in cash, then the board of county commissioners shall proceed, as in said sections provided, to cause such improvement to be constructed and provision to be made for the payment of the cost of construction, maintenance, and operation, as in said sections provided, except that none of the notices or publications required by law reed be made nor any opportunity be given for filing of objections to the improvement or to the assessment or, if bonds have been sold, for paying the

assessments in cash, and the board of county commissioners shall forthwith proceed to authorize and issue bonds or certificates of indebtedness and to levy and collect the assessments herein authorized, and no person, firm, or corporation shall have the right to appeal from any decision or action of the board in the matter except refusal by the board to proceed with such improvement. The tentative assessment herein provided for shall be for the information of property owners and shall not be certified to the auditor for collection. On completion of the work, the cost thereof shall be determined, including incidental expense as defined in this act, and a revised assessment shall be prepared by the sanitary engineer based on such actual cost and in substantially the same proportion as the tentative assessment. The board of county commissioners shall confirm such revised assessment and certify the same to the county auditor for collection.

Sec. 6602–8. In the construction of a main, branch, or intercepting sewer or sewers and sewage treatment or disposal works, the property immediately abutting upon such main, branch, or intercepting sewer may be assessed for local service, and the balance of the cost and expense of such improvement to be paid by assessments shall be assessed, as a district assessment, upon all the property, including the abutting property, within said assessment district found to be benefited in accordance with the special benefits conferred, less such part of said cost as shall be paid by the county at large, and State land so benefited shall bear its proportion of assessed cost, according to special benefit. In the construction of a local sewer the entire cost and expense of construction and maintenance may be assessed, upon the benefited property abutting thereon, according to special benefits conferred, and State land so benefited shall bear its

proportion of assessed cost, according to special benefit.

SEC. 6602-8a. Upon the completion of any improvement under sections 6602-1 to 6602-14, inclusive, of the general code, the actual cost thereof shall be ascertained and to such actual cost shall be added an amount equal to the interest accrued and to accrue upon certificates of indebtedness and upon bonds authorized by said sections before the first installment of such assessment shall be collected, and the sum so arising, less the portion thereof to be paid by the county at large, shall be assessed against the lots and parcels of land within such district found to be benefited by such improvement. For the purpose of paying the sanitary engineer provided for under the provisions of this act and for paying his assistants and all of his other necessary expenses and for the purpose of paying that part of the cost of the improvement or improvements to be paid by the county or of the interest to accrue thereon, the board of county commissioners may levy taxes, in addition to all other taxes authorized by law. Such levy shall be subject to all the limitations provided by law upon the aggregate amount, rate, maximum rate, and combined maximum rate of taxation.

SEC. 6602-8b. The county sanitary engineer, upon the completion of any such improvement, shall prepare and present to the board a revised assessment, based on the tentative assessment previously ratified by the board for such improvement, or, if such tentative assessment shall have been revised by order of the court on such revised tentative assessment, the assessment levied on each piece of property being modified in substantially the same proportion as the actual cost of the work, including incidental costs herein provided, bears to the estimated cost on which such tentative assessment was based. No notice of such revised assessment shall be given unless such actual cost exceeds the estimated cost. If the actual cost exceeds the estimated cost, notice shall be given all property owners within the assessment district and shall be published as provided by law for amendments of the tentative assessment, and any property owner shall have the right of appeal as provided for in case of tentative assessments. The board shall confirm such revised assessment, and, when so confirmed, the same shall be final and conclusive: Provided, however, That if appeal has been made, as herein provided, such confirmation shall be subject to the finding of the court. The board of county commissioners may, from time to time and at such intervals as they may deem expedient, assess the lots and parcels of land specified in said notice of assessment and levy taxes upon the taxable property of the district so improved, to pay the cost of the maintenance and operation of any such improvement or improvements, including disposal of sewage, after completion thereof, and no notice shall be necessary of such maintenance, repair, or operation assessment unless the amount thereof shall exceed 10 per cent of the original cost of the construction. If such maintenance, repair, and operation assessment shall exceed 10 per cent of the

original cost of the construction, the method and manner of making said assessment, together with the notice thereof, shall be the same as provided by

law for the original assessment.

SEC. 6602-8c. On or before the second Monday in September, annually, the board of county commissioners shall certify all of said assessments to the county auditor, stating the amount and the time of payment thereof, and in accordance therewith the county auditor shall record the same in a book to be known as the "sewer improvement record" of said county. Such assessment shall bear interest at the rate that the bonds hereinbefore authorized shall bear and shall be a lien upon the lots and lands so assessed from the date of such record until such assessments shall be paid, and shall be collected in annual or semiannual installments within a period of not more than 20 years. The several installments of such assessments shall be placed upon the tax duplicate of the county for collection as they become due, and shall be collected the same as other taxes, and shall be subject to the same penalties: Provided, however, That in case bonds have not been sold to pay the cost of the improvement the amount assessed against any lot or parcel of land may be paid within 30 days from the confirmation of the revised assessment. All assessments when collected, together with all interest thereon, shall be applied respectively to the purposes for which such assessments have been made and to no other purposes.

Sec. 6602-8d. Whenever the council or board of health, or the officer or officers performing the duties of a council or board of health of a city or village, the board of health of a general health district, the trustees of a township shall make complaint, in writing, to the State department of health that unsanitary conditions exist in any county or counties, the director of health shall forthwith inquire into and investigate the conditions complained of and if upon investigation of such complaint the State department of health shall find that it is necessary for the public health and welfare, that sewer improvements or sewage treatment or disposal works shall be constructed, maintained, and operated for the service of any territory outside of municipalities in any county or counties, said department of health shall notify the board or boards of county commissioners of such county or counties of their finding and shall proceed as provided in sections 1250 and 1251 of the general code, and the commissioners shall obey such order and proceed, as provided in sections 6602-1 to 6602-14, inclusive, of the general code, to establish such district or districts, provide necessary funds, and construct such sewers or treatment works, or maintain, repair, or operate the same, as may be required by such order and in such manner as may be satisfactory to the State department of health. Any or all of the cost of such improvement or maintenance may be assessed upon the property benefited as provided in sections 6602-1 to 6602-14, inclusive, of the general code.

Sec. 6602–8e. If any order, made by the director of health in such manner and approved by the public health council, shall not be acceptable to such board or boards of county commissioners, such board or boards shall have the right of appeal and reference provided for in sections 1257, 1258–2 and 1258–3 of the general code and the procedure in such cases shall be as provided in sections 1257, 1258, and 1258–2 to 1258–6, inclusive, of the general code: *Provided*, That on petition, in writing, of ten or more owners of real estate affected by such order of the director of health the board or boards of county commissioners

shall make such appeal as is provided in this section.

Sec. 6602-8f. If the members of the board of county commissioners fail or refuse, after a period of 30 days, after the notice and order given them by the State department of health, to perform any act or acts required of them by this act and by any such order and notice of the State department of health, such order of the State department of health may be enforced by a writ of mandamus

issued by any court authorized to issue such writs.

SEC. 6602-8h. At any time after the formation of any sewer district the board of county commissioners, when deemed expedient, may, on application by a corporation, individual, or public institution outside of any sewer district, contract with such corporation, individual, or public institution for depositing sewage from premises outside such district in the sewers constructed or to be constructed to serve such district and for the treatment or disposal thereof, on such terms and conditions as shall be by such board of county commissioners deemed equitable, but the amount to be paid shall in no case be less than the original assessment for similar property within the district, and such board of county commissioners, in any such case, shall

appropriate any moneys received for such service to and for the use and benefit of such sewer district: Provided, however, That whenever the board of county commissioners deem it necessary to contract with a corporation, individual, or public institution for depositing sewage from premises outside such sewer district in the sewers constructed or to be constructed to serve such district, they shall so determine by resolution, and may collect said amount in cash, or the same may be assessed against said lots or parcels of land, and the method and manner of making said assessment, together with the notice thereof, shall be the same as provided herein for the original assessment.

Whenever a sewer or sewers have been constructed by a corporation, individual, or public institution at their own cost and expense for the purpose of providing sewerage for any allotment, development, subdivision, or similar enterprise, or for any institution, and it is deemed expedient by the board of county commissioners to acquire said sewer or sewers or any part thereof for the purpose of providing sewerage for territory outside the allotment, subdivision, development, or other such enterprise for which such sewer or sewers were constructed, such additional territory being within a sewer district, the sanitary engineer shall examine said sewer or sewers and, if he finds the same properly designed and constructed, he shall make an appraisal of the present value of said sewer or sewers or parts thereof to the district as a means of providing sewerage for such territory outside the allotment, subdivision, development, or similar enterprise for which it was originally constructed and shall certify same to the board of county commissioners. In such appraisal no allowance shall be made for the value of such sewer or sewers to the territory for the service of which it was originally constructed. The board of county commissioners, by resolution, may determine to purchase said sewer or sewers at a cost not to exceed the present value of said sewer or sewers as certified by the sanitary engineer. For the purpose of paying for said sewer or sewers and the maintenance thereof, the board of county commissioners may issue bonds or certificates of indebtedness and assess the cost against the benefited property in the same method and manner as provided by law for the construction of an original sewer.

SEC. 6602-8i. Whenever, in the opinion of the board of county commissioners, it is necessary to procure real estate, right of way, or easement for the construction, maintenance, or operation of any sewer or other improvement authorized by the provisions of sections 6602-1 to 6602-14, inclusive, of the general code, or the right to construct, maintain, and operate such sewer or other improvement in and upon any property within or without a sewer district, they may purchase the same, or if such board and the owner or owners thereof are unable to agree upon its purchase and sale, or the amount of damages to be awarded therefor, the board of county commissioners may appropriate such real estate, right of way, easement, or right and for such purpose they shall cause an accurate survey and description to be made of the parcel of land needed for such purpose or purposes and shall file it with the probate judge of the county; thereupon the same proceedings shall be had as are provided for the appropriation of private property by municipal corporations by the laws governing such procedure at the time such appropriation is made. The board of county commissioners shall perform all acts and duties required to be performed by the mayor or council of a municipality by such laws and the passage of equivalent resolutions by such board shall be deemed to fulfill the requirements of such laws as to resolutions and ordinances to be passed by the council of a municipality.

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Sec. 6602-8j. This act shall supersede all sections and parts of sections or acts and parts of acts not herein expressly repealed which are inconsistent herewith.

Sec. 6602-9. Whenever, in the opinion of the board of county commissioners, it becomes necessary to construct a sewer within the boundaries of a municipality for the service of one or more sewer districts wholly outside of such municipality, the board shall have the right to construct such sewer in the streets and alleys of such municipality but shall restore all such streets and alleys to their original condition, and the cost thereof shall be a part of the cost of such sewer: *Provided*, *however*, That prior to the preparation of plans for such improvement, such municipality shall be given an opportunity to cooperate in the construction and use of such sewer as provided in sections 6602-1a, 6602-1b, or 6602-10 of the general code.

Sec. 6602-17. For the purpose of preserving and promoting the public health and welfare, and providing fire protection, the boards of county commissioners of the several counties of this State may by resolution, acquire, construct, maintain, and operate any public water supply or water works system within their respective counties, for any established sewer district. In this act "public water supply" shall mean any or all of the following: Wells, springs, streams, or other source of water supply; pumping equipment, treatment, or purification plants; distributing mains, cisterns, reservoirs, necessary equipment for fire protection, other equipment, and lands, rights of way, and easements necessary for the proper development and distribution of the supply. Any board of county commissioners may acquire, construct, maintain, and operate such public water supply and may provide for the protection thereof and prevent the pollution and unnecessary waste thereof. By contract with any municipal corporation, or any person, firm, or private corporation furnishing a public water supply within or without their county, they may provide such supply of water to such sewer district or districts from the water works of such municipality, person, firm, or private corporation. The sanitary engineer, if any, or sanitary engineering department, if any, of such county shall, in addition to other duties assigned to such engineer or department, assist the commissioners in the performance of their duties under sections 6602-17 to 6602-33, inclusive, of the general code, and shall be charged with such other duties and services in relation thereto as the commissioners may prescribe. The board of county commissioners may make, publish, and enforce rules and regulations for the construction, maintenance, protection, and use of public water supplies in their respective counties outside of incorporated municipalities, and of public water supplies within incorporated municipalities in their respective counties wherever such water supplies are constructed or operated by such board or are supplied with water from water supplies constructed or operated by such board, including the establishment of connections. Such rules and regulations shall not be inconsistent with the laws of the State of Ohio or the rules and regulations of the State department of health. No public water supplies or water pipes or mains shall be constructed in any county outside of incorporated municipalities, by any person, firm, or corporation, except for the purpose of supplying water to such incorporated municipalities, until the plans and specifications for the same shall have been approved by the board of county commissioners, and any such construction shall be done under the supervision of the county sanitary engineer, and any person, firm, or corporations proposing or constructing such improvements, shall pay to the county all expense incurred by the commissioners in connection therewith. The sanitary engineer shall have the right to enter upon any public or private property for the purpose of making surveys and examinations necessary for the design or examination of public water supplies, and to make such surveys and examinations. No person, firm, or corporation shall forbid or interfere with the sanitary engineer, or his duly authorized assistants entering upon such property for such purpose, or making such surveys or examinations. If, however, actual damage is done to property by the making of such surveys and examinations, the commissioners shall pay the reasonable value of such damage to the owner of the property damaged and such cost shall be included in the assessment upon the property benefitted by the improvement for which such surveys and examinations are made.

Any person or persons who tamper with or damage any water supply or water main constructed under sections 6602–17 to 6602–33, inclusive, of the general code, or any apparatus or accessory connected therewith or pertaining thereto, or make any connection with such water supply or water main without permission of the board of county commissioners or in a manner or for a use other than as prescribed by such board, or refuses to permit the inspection by the sanitary engineer of any such connection, or willfully causes the pollution of any water supply or any person or persons violating any provision of sections 6602–17 to 6602–33, inclusive, of the general code, shall be liable to a fine not exceeding \$100 to be paid on conviction of such violation. All fines imposed and collected shall be paid to the county treasurer and credited to such fund as the commissioners may determine. The commissioners may fix reasonable rates to be charged for water, when the source of supply or distributing pipes are owned by the county or district. When the source of supply is owned by a municipal corporation, or any person, firm or private corporation, the schedule of rates to be charged by such municipal corpora-

tion, person, firm, or private corporation shall be ratified by the board of county commissioners at the time any contract is entered into for the use of water from such municipal corporation, person, firm or private corporation. All money collected as rents or for water works purposes from any district shall be paid to the county treasurer and kept in a separate and distinct fund to the credit of such district. Such fund shall be applied first to the conduct, management, and operation of such water supply or water works system, and any surplus thereafter remaining shall be applied to the enlargement or extension thereof, to the payment of interest or principal of any loan, indebtedness, or liability incurred in connection therewith, or for the creation of a sinking fund for the liquidation of any debt created in connection therewith; but in no case shall money so collected be expended otherwise than for the use and

benefit of such district.

Sec. 6602-17b. The authority of the board of county commissioners to provide water supply improvements and to maintain and operate the same within sewer districts which include a part or all of the territory within one or more incorporated municipalities shall be the same as provided by law within sewer districts wholly outside of municipalities, including the levying of assessments; provided, however, that such authority, except as hereinafter provided, shall be limited to main works only, and shall not include construction and maintenance of lateral water mains for local service within such municipality, and further provided that the plans, specifications, and estimated cost for any improvement within the corporate limits of such municipality shall be approved by the council of such municipality prior to the letting of any contract for the construction thereof. All road surfaces, curbs, sidewalks, sewers, water pipes, or other public property disturbed or damaged by such construction shall be restored to their original condition within a reasonable time by the board of county commissioners, and the cost thereof shall be a part of the cost of such improvement. After such main works are constructed such municipalities shall have the right to use the same as a supply for branch and lateral water mains, for the service and use only of that part of such municipality as lies within the area assessed or to be assessed for the cost of such main works, subject to such rules and regulations as may be established by the board of county commisioners and subject to all requirements of the State department of health.

At any time after a sewer district is established comprising or including a part or all of the territory within any municipality, the council of such municipality may by ordinance or resolution authorize the board of county commissioners to proceed with the construction or the maintenance, repair, and operation of any water improvement for local service within such municipality. After such authority has been granted, the board of county commissioners may proceed with the construction, or the maintenance, repair, and operation of said improvement in the same manner as provided by law for improvements in sewer districts wholly outside of municipalities, under the same restrictions

as hereinbefore provided for main works.

SEC. 6602-18. After the establishment of any sewer district the county commissioners may have prepared by the county sanitary engineer a general plan of water supply and waterworks for such district as complete as can be made at that time. After such general plan has been approved by them they shall have prepared by the county sanitary engineer detailed plans, specifications, and estimates of cost of such part or parts of the improvement as it is necessary to then construct, together with a tentative assessment of the cost based on such estimate. Such tentative assessment shall be for the information of property owners and shall not be certified to the auditor for collection. detailed plans, specifications, estimates of cost, and tentative assessment, as so prepared by the engineer and approved by the board, shall be carefully preserved in the office of the board of county commissioners or the county sanitary engineer and shall be open to inspection of all persons interested in such improvements. After approval of the detailed plans, specifications, estimates of cost, and tentative assessment, the board of county commissioners shall adopt a resolution declaring that such improvement or improvements, describing the same and the location, route, and termini thereof, are necessary for the preservation and promotion of public health and welfare and providing fire protection, designating the character of the materials to be used, referring to the plans, specifications, estimates of cost, and tentative assessment, stating the place where they are on file and may be examined, the estimated cost

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of the maintenance of such improvement for one year, what part of the cost will be paid by the county at large, and what part will be specially assessed against the benefited property within the sewer district. Such resolution shall also contain a description of the boundaries of that part of the sewer district to be assessed and shall designate a time and place, to be fixed by the board. when and where objections to the improvement, to the tentative assessment, or to the boundaries of the assessment district will be heard by the board. The date of such hearing shall be not less than 24 days after the date of the first publication of such resolution. The board of county commissioners shall cause such resolution to be published once a week for two consecutive weeks in a newspaper of general circulation within the county, and on or before the date of the second publication shall send by mail a notice of the time and place of such hearing to every owner of property to be assessed for such improvement whose address is known, and such notice shall state that the property of the addressee will be assessed for such improvement. Notice of such hearing shall be mailed to the clerk of any municipality any part of which lies within the assessment district. A hearing shall be granted by the board to all parties interested at the time and place fixed by such resolution and notice. Written objections to or indorsements of the proposed improvement, the character and termini thereof, the boundaries of the assessment district, or the tentative assessment shall be received by the board for a period of five days after the hearing, and no action shall be taken by the board in the matter until after such period shall have elapsed. The minutes of the hearing shall be entered on the journal of the commissioners showing the persons who appear in person or by attorney, and all written objections shall be preserved and filed in the

office of the board.

SEC. 6602-19. After the expiration of the period of five days provided for the filing of written objections, the board of county commissioners shall determine whether or not they will proceed with the construction of such improvement or improvements, and if they shall decide to proceed therewith, the board shall ratify or amend the plans for the improvement, the character and termini thereof, the boundaries of the assessment district and the tentative assessment, and may cause such revision of plans, boundaries, or assessments as the board may consider necessary to be made by the county sanitary engineer. If the boundaries of the assessment district are amended so as to include any property not included within the boundaries as established by the resolutions of necessity, the owners of all such property shall be notified by mail if their addresses are known, and notice shall be published once a week for two consecutive weeks in a newspaper of general circulation within the county, that such amendments have been adopted and that a hearing will be given by the board at a time and place stated in such notice, at which all persons interested will be heard by the board. The date of such hearing shall be not less than 24 days after the first publication of such notice, and the hearing shall be conducted and records kept in the same manner as the first hearing. Five days shall be allowed for the filing of written objections as hereinbefore provided for the first hearing and after the expiration of such 5-day period the board shall ratify the plans for the improvement, the character and termini thereof, the boundaries of the assessment district and the tentative assessment or shall further amend the same. If the boundaries of the assessment district are amended so as to include any property not included in the assessment district as originally established or previously amended, further notice and hearing shall be given to the owners of such property in the same manner as for the first amendment of such boundaries, and the same procedure repeated until all property owners affected have been given an opportunity to be heard: Provided, however, That if the owners of all property added to an assessment district by amendment of the original boundaries thereof shall waive objection to such amendment in writing, no further notice or hearing shall be given. After the board shall have ratified the plans for the improvement, the character and termini thereof, the boundaries of the assessment district and the tentative assessment, either as originally presented or as amended, and if they shall decide to proceed therewith, a resolution, to be known as the improvement resolution, shall be adopted by such board. Said improvement resolution shall declare the determination of such board to proceed with the construction of the improvement or improvements provided for in the resolution of necessity. in accordance with the plans and specifications provided for such improvement or improvements, as ratified or amended, and whether bonds or certificates of

indebtedness shall be issued in anticipation of the collection of special assessments, or that money in the county treasury unappropriated for any other pur-

pose be appropriated to pay for said improvement or improvements.

Sec. 6602-19a. After the passage of the resolution to proceed with such improvement no further action shall be taken or work done in connection therewith until 10 days have elapsed. If at the expiration of such period no appeal has been effected by any property owner, as provided in sections 6602-3b to 6602-3q, inclusive, of the general code, as the same are hereby enacted, the board may proceed to issue and sell bonds or certificates of indebtedness and to construct such improvement. If at the end of 10 days, any owner of property to be assessed or taxed for the improvement shall have effected such appeal, then said work shall not be proceeded with until the matters appealed from

shall have been disposed of in court.

SEC. 6602-20. For the purpose of paying a part or the whole of the cost of construction, maintenance, repair, or operation of any improvement provided for in sections 6602-17 to 6602-33 of the general code, or for paying the sanitary engineer and for paying his assistants and all his other necessary expenses, the board of county commissioners may borrow money at the rate of not exceeding 6 per cent per annum on certificates of indebtedness to be signed by its president and clerk; such certificates of indebtedness shall be made payable at a time not more than five years from their date; or for such purposes the board of county commissioners may issue bonds as herein provided, or may appropriate money from any funds in the county treasury available. After the adoption of the improvement resolution, to provide means to pay the cost of any such improvement, the board of county commissioners shall, by resolution of said board, appropriate money from any funds in the county treasury available for that purpose, authorize the issuance of certificates of indebtedness, or authorize the issue of bonds of the county in an amount not exceeding the estimated cost thereof by more than 10 per cent, plus such amount as shall be necessary to pay the installments of interest on such bonds or on certificates of indebtedness to accrue before the first installments of taxes and assessments hereinafter provided for shall be collected. Such certificates of indebtedness may be issued, delivered, and paid for in installments as required by the progress of the work, and when so sold to a responsible purchaser by valid contract such certificates shall be deemed to be sold and in process of delivery. Such certificates shall bear interest from the date of issuance of each install-In case money has been borrowed on certificates of indebtedness as herein authorized, bonds may be later issued and sold to retire such certificates of indebtedness. Such bonds shall state the particular improvement or improvements on account of which they are issued and the date of resolution or order of the board directing their issuance. Such bonds may bear interest at a rate not exceeding 6 per cent per annum, payable semiannually, may be of such denominations and payable at such time and place as the board of county commissioners shall provide, and may be issued from time to time as the work progresses and advertised and sold as other county bonds are required to be advertised and sold.

Sec. 6602-20a. Any and all funds arising from premiums on bonds sold under the provisions of sections 6602-17 to 6602-33, general code, and accrued interest thereon, and also interest earned on the funds realized from the sale of said bonds placed on interest under sections 2715 to 2745, general code, shall be credited to the bond and interest fund established for the redemption of the bonds so sold. On the completion of any improvement any surplus fund arising from the sale of bonds or certificates of indebtedness for such improvement in amount exceeding the actual cost of such improvement, including incidental costs as set forth in this act, shall be paid into the sinking fund and credited to the bond and interest fund established for the redemption of such

bonds.

Sec. 6602-21. After the issuance and sale of bonds or certificates of indebtedness as provided in sections 6602-17 to 6602-33, inclusive, of the general code, the board of county commissioners shall enter into a written contract with the lowest and best bidder for the construction of such improvement or improvements, after advertising for sealed proposals for such construction not less than two or more than four consecutive weeks in a newspaper published and of general circulation within the county. The bids shall be opened at 10 o'clock a. m., on the last day for filing the same, by the board of county commissioners and publicly read. Each bid shall contain the full name of each person or company interested in the same, and shall be accompanied by a bond or certified

check on some solvent bank within the county, conditioned that, if the bid is accepted, a contract will be entered into and its performance properly secured, as shall be stated in the advertisements and proposals. In each bid the price of labor and materials shall be separately stated. Such board may reject any and all bids. The contracts shall be between the board of county commissioners and the bidder, and the board shall pay the contract price in cash. Such payment may be made in proper installments as the work progresses. When there is reason to believe that there is collusion or combination among the bidders, the bids of those concerned therein shall be rejected. Whenever it becomes necessary, in the opinion of such board, in the prosecution of any such work or improvements, to make alterations or modifications in such contract, such alterations or modifications shall only be made by such board by resolution, and such resolution shall be of no effect until the prices to be paid for work or material or both, caused by such alterations or modifications, shall have been agreed upon in writing, and signed by the contractor and said board, and no contractor for any such work shall be allowed to recover anything for additional work or materials required by any alterations or modifications nor for any other cause due to such alterations or modifications unless such contract is made as aforesaid, nor shall he in any event be allowed to recover for such work or materials, or other cause, more than the agreed price. The money derived from the lawfully authorized bonds or certificates of indebtedness sold as hereinbefore provided shall not thereafter be considered unappropriated until the county is fully discharged from such contract or contracts.

SEC. 6602-22. Whenever the owners of all the lots and lands to be benefited by, and to be assessed for, any water supply or water works system, provided for in sections 6602-17 to 6602-33, inclusive, of the general code, shall, by petition in writing, request the board of county commissioners to provide for the construction, maintenance, and operation of any such improvements, describing the improvement or improvements desired and the lots and lands owned by them respectively to be assessed to pay the cost and maintenance of such improvement or improvements, and consenting that their said lots and lands may be assessed to pay the cost of such improvement and of maintenance and operation as provided in said sections, and shall waive notice and the publication of all resolutions and legal notices provided for in said sections, the board of county commissioners shall have prepared the necessary plans, specifications, and estimates of cost of construction, maintenance, and operation thereof, and a tentative assessment, and when all of the owners of the lots and lands to be benefited by and assessed for the proposed improvement shall in writing state that they have examined the estimated cost and tentative assessment as made by the county sanitary engineer, that they have no objections thereto, and that in case bonds are sold prior to the construction of the improvement they waive their right or option to pay the assessments in cash, then the board of county commissioners shall proceed, as in said sections provided, to cause such improvement to be constructed and provisions to be made for the payment of the cost of construction, maintenance, and operation, as in said sections provided, except that none of the notices or publications required by law need be made nor any opportunity be given for filing of objections to the improvement or to the assessments or, if bonds have been sold, for paying the assessments in cash, and the board of county commissioners shall forthwith proceed to authorize and issue bonds or certificates of indebtedness and to levy and collect the assessments herein authorized, and no person, firm, or corporation shall have the right to appeal from any decision or action of the board in the matter except refusal by the board to proceed with such improve-The tentative assessment herein provided for shall be for the information of property owners and shall not be certified to the auditor for collection. On completion of the work the cost thereof shall be determined, including incidental expense as defined in this act, and a revised assessment shall be prepared by the sanitary engineer based on such actual cost and in substantially the same proportion as the tentative assessment. The board of county commissioners shall confirm such revised assessment and certify the same to the county auditor for collection.

Sec. 6602-24. In the construction of a main, branch, or reinforcing pipe line or pipe lines and water supply, the property immediately abutting upon such main, branch, or reinforcing pipe line or pipe lines may be assessed for local service, and the balance of the cost and expense of such improvement to be

paid by assessments shall be assessed, as a district assessment, upon all the property, including the abutting property, within said assessment district found to be benefited in accordance with the special benefits conferred, less such part of said cost as shall be paid by the county at large, and State land so benefited shall bear its proportion of assessed costs, according to special benefit. In the construction of a local pipe line the entire cost and expense of construction and maintenance may be assessed, upon the benefited property abutting thereon, according to special benefits conferred, and State land so benefited shall bear

its proportion of assessed costs according to special benefit.

SEC. 6602-25. Upon the completion of any improvement under sections 6602-17 to 6602-33, inclusive, of the general code, the actual cost thereof shall be ascertained and to such actual cost shall be added an amount equal to the interest accrued and to accrue upon certificates of indebtedness and upon bonds authorized by said sections before the first installment of such assessments shall be collected and the sum so arising, less the portion thereof to be paid by the county at large, shall be assessed against the lots and parcels of land within such district found to be benefited by such improvement: Provided, That the amount assessed against any lot or parcel of land may be paid within 30 days from the confirmation of the assessments as herein provided. For the purpose of paying the sanitary engineer and for paying his assistants and all of his other necessary expenses and for the purpose of paying that part of the cost of the improvement or improvements to be paid by the county or of the interest to accrue thereon, the board of county commissioners may levy taxes in addition to all other taxes authorized by law. Such levy shall be subject to all the limitations provided by law upon the aggregate amount, rate, maximum rate, and combined maximum rate of taxation.

SEC. 6602-26. The county sanitary engineer, upon the completion of any improvement, shall prepare and present to the board a revised assessment, based on the tentative assessment previously ratified by the board for such improvement, or, if such tentative assessment shall have been revised by order of court, on such revised tentative assessment, the assessment levied on each piece of property being modified in substantially the same proportion as the actual cost of the work, including incidental costs herein provided, bears to the estimated cost on which such tentative assessment was based. No notice of such revised assessment shall be given unless such actual cost exceeds the estimated cost. If the actual cost exceeds the estimated cost, notice shall be given all property owners within the assessment district and shall be published as provided by law for amendments of the tentative assessment and any property owners shall have the right of appeal as provided for in case of tentative assessments. The board shall confirm such revised assessment, and, when so confirmed, the same shall be final and conclusive. Provided, however, That if appeal has been made, as herein provided, such confirmation shall be subject to the finding of the court. The board of county commissioners may, from time to time and at such intervals as they may deem expedient, assess the lots and parcels of land specified in said notice of assessment and levy taxes upon the taxable property of the district so improved, to pay the cost of the maintenance and operation of any such improvement or improvements, after completion thereof, and no further notice shall be necessary of such maintenance, repair, or operation assessment unless the amount thereof shall exceed 10 per cent of the original cost of the construction. If such maintenance, repair, or operation assessment shall exceed 10 per cent of the original cost of the construction, the method and manner of making such assessment, together with the notice thereof, shall be the same as provided by law for the original

Sec. 6602-27. On or before the second Monday in September annually the board of county commissioners shall certify all of said assessments to the county auditor, stating the amounts and time of payment thereof, and in accordance therewith the county auditor shall record the same in a book to be known as the "Waterworks record" of said county. Such assessments shall bear interest at the same rate that the bonds hereinbefore authorized shall bear, and shall be a lien upon the lots and lands so assessed from the date of such record until such assessments shall be paid, and shall be collected in annual or semiannual installments within a period of not more than 20 years. The several installments of such assessments shall be placed upon the tax duplicate of the county for collection as they become due and shall be collected the same as other taxes, and shall be subject to the same penalties: Provided, however, That in case bonds have not been sold to pay the cost of the improvement the amount assessed

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against any lot or parcel of land may be paid within 30 days from the confirmation of the revised assessment. All assessments when collected, together with all interest thereon, shall be applied respectively to the purposes for which

such assessments have been made and to no other purpose.

Sec. 6602-28. Whenever the council or board of health, or the officer or officers performing the duties of a council or board of health of a city or village, the board of health of a general health district, the trustees of a township shall make complaint, in writing, to the State department of health that unsafe water supply conditions exist in any county or counties, the director of health shall forthwith inquire into and investigate the conditions complained of, and if upon investigation of such complaint the State department of health shall find that it is necessary for the public health and welfare that any improvement mentioned in section 6602-17 of the general code, shall be constructed, maintained and operated for the service of any territory outside of municipalities in any county or counties, said department of health shall notify the board or boards of county commissioners of such county or counties of their finding and shall proceed as provided in sections 1250 and 1251 of the general code, and the commissioners shall obey such order and proceed, as provided in section 6602-1 and sections 6602-17 to 6602-33 of the general code, inclusive, to establish such district or districts, provide necessary funds, and construct such public water supplies, or maintain, repair, or operate the same, as may be required by such order and in such manner as may be satisfactory to the State department of health. Any or all of the cost of such improvement or maintenance may be assessed upon the property benefited as provided in said

Sec. 6602-29. If any order made by the director of health in such manner and approved by the public health council, shall not be acceptable to such board or boards of county commissioners such board or boards shall have the right of appeal and reference provided for in sections 1257, 1258-2, and 1258-3 of the general code, and the procedure in such cases shall be as provided in sections 1257, 1258, and 1258-2 to 1258-6, inclusive, of the general code: *Provided*, That on petition, in writing, of 10 or more owners of real estate affected by such order of the director of health the board or boards of county commissioners shall make such appeal as is provided for in this section.

SEC. 6602-30. If the members of the board of county commissioners fall or refuse, after a period of 30 days, after the notice and order given them by the State department of health, to perform any act or acts required of them by this act and by any such order and notice of the State department of health. Such order of the State department of health may be enforced by a writ of mandamus issued by any court authorized to issue such writs.

Sec. 6602-32. At any time after the formation of any sewer district, the board of county commissioners, when deemed expedient, may, on application by a corporation, individual, or public institution, outside of any sewer district, contract with such corporation, individual, or public institution for supplying water to their premises on such terms and conditions as shall be by such board of county commissioners deemed equitable, but the amount to be paid shall in no case be less than the original assessment for similar property within the district, and such board of county commissioners, in any such case, shall appropriate any moneys received for such service to and for the use and benefit of such sewer district: Provided, however, That whenever the board of county commissioners deem it necessary to contract with a corporation, individual, or public institution outside of any sewer district for supplying water to their premises from water supply lines constructed or to be constructed to serve such district, they shall so determine by resolution and may collect said amount in cash, or the same may be assessed against said lots or parcels of land, and the method and manner of making such assessment, together with the notice thereof, shall be the same as provided herein for the original

Whenever a water-supply line or lines have been constructed by a corporation, individual, or public institution at their own cost and expense for the purpose of supplying water to any allotment, development, subdivision, or similar enterprise, or to any institution, and it is deemed expedient by the board of county commissioners to acquire said water-supply line or lines or any part thereof for the purpose of supplying water to territory outside the allotment, subdivision, development, or other such enterprise for which such line or lines were constructed, such additional territory being within a sewer district, the sanitary engineer shall examine said water-supply line or lines, and if he finds the same

properly designed and constructed, he shall make an appraisal of the present value of said water-supply line or lines or parts thereof to the district as a means of supplying water to territory outside the allotment, subdivision, development, or similar enterprise for which they were originally constructed and shall certify same to the board of county commissioners. In such appraisal no allowance shall be made for the value of such water-supply line or lines to the territory for the service of which they were originally constructed.

The board of county commissioners, by resolution, may determine to purchase said water-supply line or lines at a cost not to exceed the present value of said water-supply line or lines as certified by the sanitary engineer. For the purpose of paying for the said water-supply line or lines and the maintenance thereof, the board of county commissioners may issue bonds or certificates of indebtedness and assess the cost against the benefited property in the same method and manner as provided by law for the construction of an original water-supply

line or lines.

SEC. 6602-32b. All such contracts shall provide for payment to the county. city, or village owning, constructing, or agreeing to construct such water-supply improvement or improvements to be jointly used, of the amount agreed upon as the other party's share of the cost of such water-supply improvement or improvements, and shall also provide for payment to the county, city, or village, owning or constructing, and maintaining same of the amount agreed upon for the other party's share of the cost of operating and maintaining such watersupply improvement or improvements, including the cost of water or, in lieu of all other payments, and agreed price per unit for water furnished: Provided, however, That any such county, city, or village, owning, constructing, or agreeing to construct any such water-supply improvement or improvements, as provided herein, and permitting the use thereof by such other county, city, or village, shall retain full control and management of the construction, maintenance, repair, and operation of such water-supply improvement or improvements, except when conveyed to a municipality as hereinafter provided; And provided further, That any such contract, before going into effect, shall be approved by the Ohio State Department of Health. Any completed water-supply or water-works system, as defined in section 6602-17, general code, for the use of any sewer district, constructed under the provisions of sections 6602-17 to 6602-33, inclusive, general code, and any part thereof, and located within any municipality or within any area which may be incorporated as a municipality or annexed to an existing municipality, or which provides water for such area, may, by mutual agreement between the county commissioners and such municipality, be conveyed to such municipality, which shall thereafter maintain and operate such water supply and waterworks. The county commissioners may retain the right to joint use of such water supply and waterworks for the benefit of the sewer district. The validity of any assessment which may have been levied or may thereafter be levied to provide means for the payment of the cost of such construction or maintenance of such water supply or waterworks or any part thereof shall not be affected by such conveyance.

SEC. 6602-33. Whenever, in the opinion of the board of county commissioners, it is necessary to procure real estate, right of way, or easement for the construction or operation of any water supply or other improvement authorized by the provisions of sections 6602-17 to 6602-33, inclusive, of the general code, or the right to construct, maintain, and operate such water supply or other improvement in and upon any property within or without a sewer district, they may purchase the same, or if such board and the owner or owners thereof are unable to agree upon its purchase and sale, or the amount of damage to be awarded therefor, the board of county commissioners may appropriate such real estate, right of way, easement, or right and for such purpose they shall cause an accurate survey and description to be made of the parcel of land needed for such purpose or purposes and shall file it with the probate judge of the county, thereupon the same proceedings shall be had as are provided for the appropriation of private property by municipal corporations by the laws governing such procedure at the time such appropriation is made. The board of county commissioners shall perform all acts and duties required to be performed by the mayor or council of a municipality by such laws and the passage of equivalent resolutions by such board shall be deemed to fulfill the requirements of such law as to resolutions and ordinances to be passed by the council of a municipality. In the construction, maintenance, and operation of any water-supply or waterworks system, as herein provided, the necessary resolutions, waivers, and

notices herein provided for may be passed, made, and given at the same time, or may be included in any similar resolution, waiver, or notice passed, made, or given for the construction, maintenance, and operation of any sewer or sewage-

disposal works in the same district.

SEC. 6602-33a. Whenever, in the common of the board, it becomes necessary to construct a water main within the boundaries of a municipality for the service of one or more sewer districts wholly outside of such municipality, the board shall have the right to construct such main in the streets and alleys of such municipality but shall restore all such streets and alleys to their original condition, and the cost thereof shall be a part of the cost of such main: Provided, however, That prior to the preparation of plans for such improvement, such municipality shall be given an opportunity to cooperate in the construction and use of such water main, as provided in section 6602-17b and section 6602-33a of the general code.

SEC. 6602-33b. All bonds and certificates of indebtedness issued under authority of sections 6602-1 to 6602-33, inclusive, of the general code, prior to the taking effect of this act, which have been sold for not less than par and accrued interest and the proceeds thereof paid into the treasury, shall be held to be legal, valid, and binding obligations of the political subdivision issuing the same, without regard to whether any special assessments anticipated by such bonds

were made prior to the issuance thereof.

Sec. 6602-33c. All proceedings for the creation of sewer districts and for construction of sewer and water improvements under the provisions of sections 6602-1 to 6602-33, inclusive, prior to the taking effect of this act and all petitions granted, or the letting or awarding of contracts, or all contracts made and entered into, or proceedings preliminary to or in connection therewith, or certificates of indebtedness or bonds issued or to be issued or taxes and assessments levied or to be levied on account thereof are hereby declared and held to be valid notwithstanding any defect or irregularity therein or any failure to conform strictly to the provisions of the above-mentioned act, except that in any proposed district where the contract has not yet been let, the proceedings shall not be ratified unless State land to be benefited shall be included therein, with the power to assess such State land in proportion to its benefits the same as land privately owned, including the cost of preliminary surveys; the boards of county commissioners or other officials shall have full power and authority to complete all improvements in process of construction under said sections and to levy taxes and assessments for such improvements, and to sell bonds to pay for the construction of such improvements, and to do all things contemplated by the provisions of said sections necessary for the completion of such improvements.

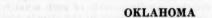
Sec. 2. That if any section or part of section of this act shall be held to be invalid or unconstitutional it shall not affect any other part or section of this

act.

SEC. 3. This act is hereby declared to be an emergency act, necessary for the immediate preservation of the public health and welfare; the emergency necessitating the enactment of this act arises out of the fact that the constitutionality of parts of the law relating to county sewer disricts has been subsantially denied by decision of the courts, and as a result of such conditions the construction of sewer and water improvements in numerous counties is stopped and many citizens are thereby being prevented from securing proper sewer and water facilities and are compelled to endure insanitary and unhealthful conditions of a serious character, and that by reason thereof great detriment to the public health and welfare is resulting, to the damage of property, health, and public welfare.

Sec. 4. That said original sections, viz, 6602–1, 6602–1b, 6602–2, 6602–3, 6602–4, 6602–4a, 6602–5, 6602–6, 6602–8, 6602–8a, 6602–8b, 6602–8c, 6602–8c, 6602–8d, 6602–8e, 6602–8i, 6602–8i, 6602–8i, 6602–9, 6602–17, 6602–17b, 6602–18, 6602–20, 6602–20, 6602–21, 6602–22, 6602–24, 6602–25, 6602–26, 6602–27, 6602–28, 6602–30, 6602–32, 6602–32b, 6602–33, and all sections of the general code, and all laws and parts of laws that may be found in conflict with this act, so far as they pertain to matters specifically covered by the pro-

visions of this act, be, and the same are hereby, repealed.



Foot-and-Mouth Disease—Inspection and Quarantine of Certain Premises— Destruction of Diseased or Exposed Animals—Indemnity for Animals Destroyed. (Ch. 16, Act April 6, 1927)

SECTION 1. Section 3689, Compiled Oklahoma Statutes, 1921, is hereby

amended to read as follows:

SEC. 3689. Foot-and-mouth disease—Quarantine.—Whenever any livestock within this State is found to be affected with foot-and-mouth disease or has been exposed thereto, or if there is reason to believe that such livestock may be so affected or exposed, the State veterinarian or his authorized representative shall have authority, and is hereby empowered, to enter at any time any premises or inclosures housing or containing such diseased, exposed, or suspected livestock for the purpose of inspection and examination. Premises containing any livestock affected with or exposed to foot-and-mouth disease shall be immediately quarantined by the State veterinarian or by his duly authorized representative in such manner as in his judgment will be most effective in preventing the further spread thereof, and he shall cause all diseased and exposed susceptible animals contained or housed on said premises to be slaughtered and the carcasse, thereof to be burned or buried, and the State shall be liable for 50 per cent of the market value of such slaughtered livestock: Provided, That when, in the opinion of the State veterinarian, such action is warranted for the purpose of limiting the spread of foot-and-mouth disease, all susceptible livestock within a given area adjoining to or contiguous with a point containing the infection of foot-and-mouth disease may be slaughtered, and the owners of such livestock shall be compensated therefor as provided herein: Provided further, That all actual eradication of foot-andmouth disease from livestock in this State shall be conducted jointly and in cooperation with the Bureau of Animal Industry, United States Department of Agriculture: And provided further, That all inspectors of the said Bureau of Animal Industry shall have for the purpose of enforcing the provisions of this act all of the powers and authority herein conferred on the State veterinarian, and the said Bureau of Animal Industry shall be represented on any committees engaged in appraising any livestock or other property destroyed on account of foot-and-mouth disease.

Sec. 2. Violation of act—Misdemeanor.—Any person, firm, or corporation who willfully hinders or otherwise obstructs any officer of the State board of agriculture or of the Bureau of Animal Industry, United States Department of Agriculture, in carrying out the provisions of this act or any part thereof, or any rules and regulations of the State board of agriculture or the United States Department of Agriculture relating thereto, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment of for not less than 30

days or more than 6 months, or by both such fine and imprisonment.

Water Supplies of Incorporated Cities or Towns—Pollution by Certain Substances Unlawful—Right of Action for Damages Resulting from Pollution. (Ch. 38, Act April 6, 1927)

Section 1. Streams—Pollution unlawful.—It shall be unlawful for any firm, copartnership, or corporation, or any of the partners, officers, managers, or employees thereof, or for any other person to pollute or permit the pollution, by salt water or by crude oil or the bottom settlings thereof, or by sulphur water or any other mineral water or by the refuse or the products of any well or mine, of any stream, pond, spring, lake, or other water reservoir fit to be used, and used as a water supply by an incorporated city or town by which said water is rendered unfit for use as a water supply for municipal purposes. In any case in which a municipal water supply has been so polluted prior to the

passage of this act and such pollution is suffered to continue after the passage of this act the same shall be deemed as unlawful pollution as herein defined.

SEC. 2. Cities and towns—Action for damages.—Any incorporated city or town shall have a right of action for damages resulting from such pollution of its water supply, and the measure of damages shall be the amount which will compensate for the detriment caused thereby, whether it could have been anticipated or not. Where such pollution is continued for a period of six months or more the injury shall be regarded as permanent.

Certified Copies of Birth, Death, Marriage, and Divorce Records—Furnishing Free in Certain Cases. (Ch. 20, Act April 6, 1927)

Section 1, Court clerk—Registrar of vital statistics—Copies of records.—That the court clerk of the several counties of this State, and the registrar of the bureau of vital statistics of this State, when requested so to do by any honorably discharged member of the military or naval forces of the United States, or their dependents, or by any person in their behalf, or by the Commissioner of Pensions of the United States, or by the Director of the United States Veterans' Bureau, or regional manager of any regional office of the United States Veterans' Bureau. shall furnish without charge or fee therefor duly certified copies of any decree of divorce, marriage license, certificate of marriage, birth certificate, certificate of death, * * * or other judgment, decree, or document required by law or by any rule or regulation of the Bureau of Pensions or the United Stations Veterans' Bureau to be furnished as evidence to establish a claim on behalf of such honorably discharged member of the military or naval forces of the United States, or his dependents, for a pension, compensation, family allowance, bonus, or other money or moneys claimed to be due and payable by or through said Bureau of Pensions or United States Veterans' Bureau.

OREGON State Board of Health and Communicable Diseases-Certain Statutory Provisions Relating to, Repealed. (Ch. 58, Act February 9, 1927)

Section 1. That sections 8365, 8367, 8368, 8373, 8374, 8375, 8376, 8377, 8390, 8416, 8421, and 8422, Oregon laws, be, and the same hereby are, repealed.

Superintendents of State Tuberculosis Hospitals—Appointment, Removal, Oath, Bond, Powers, Duties, and Compensation. (Ch. 131, Act February

[Section 1 amends section 2813 (as amended by ch. 6, laws of 1927). Oregon

laws, to read as follows:1

Sec. 2813. The executive heads of * * * the Oregon Tuberculosis Hospital, the Eastern Oregon Tuberculosis Hospital * * * shall be known as the superintendents of said institutions; * * *. The secretary of the Oregon State board of control and all of said executive heads * * * shall be selected and may be removed at the pleasure of the board, and before assuming the duties of their positions shall take and subscribe to an oath that they will support the Constitution and laws of the United States and the State of Oregon, and each shall furnish to the State of Oregon, subject to the approval of the board, a bond in such reasonable amount as the board may designate, conditioned upon the faithful performance of their duties. * * * Said executive heads shall, subject to the approval of the board appoint all assistants, officers, and other employees at the institution under their jurisdiction, and may suspend or remove them, reporting all acts of suspension or removal to the board for approval or disapproval; * * *. Said executive heads shall have control of the wards of the State at the institutions under their jurisdiction; shall prescribe or direct their treatment, care, custody, and discipline, unless otherwise directed by law or by rules of the board; adopt sanitary measures for their health and comfort; promote their mental, moral, and physical welfare and development; and shall enjoy such other powers and privileges and perform such other duties as may be prescribed by law or rule of the board, or as naturally attach themselves to their respective positions.

Said executive heads, * * * shall reside at the institutions under their respective jurisdictions and shall each be furnished free of charge with a residence or housekeeping room for himself and his immediate family, household furniture, provisions, heat, and light from the supplies of the said institu-tions. The annual salaries * * * of the several executive heads shall be fixed and determined by the board. Said * * * executive heads shall receive no fees, emoluments, or compensation other than such salaries as are fixed by the board, but shall receive their actual traveling expenses when

traveling in the service of the State.

County and City Boards of Health-How Constituted-Duties. County and City Health Officers—Appointment, Removal, and Compensation. (Ch. 319, Act March 3, 1927)

Section 1. That section 8369, Oregon Laws, as amended by chapter 129,1 General Laws of Oregon, 1923, be and the same hereby is amended so as to read as follows:

SEC. 8369. The county judge and county commissioners, and the mayor and common council of each incorporated city, except where a regularly constituted board of health by statute or by ordinance of such city exists or may hereafter be created, shall constitute a board of health ex officio, for each county and city, respectively, of the State, whose duty it shall be to enforce the rules and

¹ Supplement 49 to Public Health Reports, p. 307.

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regulations of the State board of health and such other rules and regulations of the county or city board of health as are provided by the State board of health, and perform such other duties as may from time to time be required of them by the State health officer pertaining to the health of the people. They shall elect a secretary, who shall be in possession of a license issued to him by the State board of medical examiners, who shall be the health officer of the appointing board when so commissioned by the State board of health, and he shall hold his office for the term of two years, or unless sooner terminated as hereinafter provided. The compensation of all county and city health officers shall be prescribed by the board appointing him or to which he belongs, and the same, together with his necessary expenses, shall be paid by the county or city in which he serves, on the first Monday in September, December, March, and July: Provided, That no incorporated city or town shall pay its secretary less than \$10 per month, nor county board shall pay its secretary less than \$25 per month.

The State board of health shall have power to remove at any time any county, city, or town health official for intemperance, failure to collect vital statistics, obey rules and regulations, keep records, make reports or answer letters of inquiry, or obey orders of the State health officer concerning the health of the people. Such removal, however, shall not be made until five days' notice of the charge or charges against such health officer shall have been mailed him; Provided. The time and place for hearing such charges by the State board of health shall be in the county seat of the county or in the city or town of which the defendant is health officer and shall take place not later than one week after the time of mailing notice to such health officer: Also provided, That he may be represented by counsel: Provided, however, That such secretary may, after a hearing as herein provided, be removed by the appointing power for any of the causes herein specified, and such removal shall carry with it his appointment as county, city, or town health officer, as the case may be: And it is further provided, That said health officer so removed shall not be reappointed without the consent of the State board of health. In case of death, removal, or resignation of any county or city health officer created under this act, the vacancy shall be immediately filled by the county judge and commissioners at their first meeting, or mayor and the common council, as the case may be, under the provisions of this section, who shall hold his office until the end of the term unless removed for cause as in this act provided. In case of refusal or neglect by the said county or city officers to appoint a county or city health officer for a period of 30 days following such vacancy, the State health officer shall make such appointment. The office of the secretary of the county board of health shall be at the county seat. All county or city health officers shall possess the powers of constables or other peace officers in all matters pertaining to the public health.

Cheese-Labeling-Standards. (Ch. 179, Act February 23, 1927)

[This act amends sections 8728 (as amended by ch. 262 2 laws of 1921) and 8729, Oregon laws, to read as follows:]

SEC. 8728. Every person who shall manufacture cheese in the State of Oregon shall, at the place of manufacture, brand distinctly and durably, in letters not less than one-half inch in height, on the bandage of every cheese and box containing the same the true grade of said cheese as follows, to wit: "Oregon full-cream cheese," or "Oregon half-skimmed cheese," or "Oregon quarter-skimmed cheese," or "Oregon skimmed cheese," as the case may be. All cheese marked "Oregon full-cream cheese" must contain in the water-free substance not less than 50 per cent of milk fat. All cheese marked "Oregon half-skimmed cheese" must contain in the water-free substance not less than 25 per cent of milk fat. "Oregon quarter-skimmed cheese" must contain in the water-free substance not less than 12 per cent of milk-fat. All cheese not plainly marked or branded as to its quality must contain in the water-free substance not less than 50 per cent of milk fat. Milk fat is the fat of milk and has a Reichert-Meissel number not less than 24 and specific gravity not less than 0.905 (40° C.). Brick cheese, commonly known as "Cream brick," made from whole milk, shall contain not less than 50 per cent milk fat nor more than 42 per cent moisture with tolerance of 1 per cent; Emmenthaler cheese, commonly known

² Supplement 45 to Public Health Reports, p. 463.

as domestic Swiss cheese, shall contain in the water-free substance not less than 43 per cent of milk fat: *Provided*, That nothing in this section shall be construed to apply to "Edam," "Pineapple," "Limburger," or hand-made cheese

not made by the ordinary cheddar process.

SEC. 8729. All cheese other than full cream cheese offered or sold or exposed for sale at retail shall bear a label or placard containing letters not less than one-half inch in height setting forth whether such cheese is "Half skimmed," "Quarter skimmed," or "Skimmed," according to the percentage of butterfat therein contained, as provided in section 8728, Oregon Laws. But this section shall not apply to "Edam," "Pineapple," "Limburger," or hand-made cheese not made by the ordinary cheddar process.

Creameries, Milk Factories, etc.—License. (Ch. 225, Act March 3, 1927)

Section 1. That section 8765, Oregon laws, as amended by section 3, chapter 15, General Laws of Oregon, 1921, be, and the same hereby is, amended

so as to read as follows:

SEC. 8765. * * * The creamery license shall be issued upon compliance with the provisions under section 8764, and upon the payment by the applicant to the dairy and food commissioner, for each creamery, milk factory, milk depot, ice-cream factory, cheese factory, and condensary \$5, and for each shipping station \$2.50.

Habit-Forming Drugs-Investigation by Commission Concerning Traffic in, and Treatment of Drug Addicts. (No. 9, S. J. Res. Filed in Office of Secretary of State February 12, 1927)

Whereas the misuse of habit-forming drugs constitutes a grave menace to society; and

Whereas there is great need for more vigorous action on the part of the

State of Oregon to combat this evil; and

Whereas the States of Washington, Oregon, and California are particularly subject to the illegal traffic in narcotic drugs on account of their accessibility through the various ports; and

Whereas a united action on the part of these States is essential in order to combat this evil; now, therefore, be it

Resolved by the Senate of the State of Oregon, the House of Representatives jointly concurring, That there shall be, and hereby is, created a commission to consist of one member of the senate, to be appointed by the president of the senate, one member of the house of representatives, to be appointed by the speaker of the house, and one citizen of the State of Oregon, to be appointed by the governor, to act with like committees from the States of Washington and California, for the purpose of considering the enactment of effective and uniform laws governing traffic in narcotic drugs; be it further

Resolved, That the commission hereinabove named shall also consider the advisability of harmonizing State laws with Federal narcotic laws in order to make possible closer cooperation between State and Federal law-enforcing

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officials; be it further

Resolved. That the commission shall also make a complete study pertaining to the proper treatment of narcotic drug addicts, and shall gather such other necessary information, formulate recommendations, and prepare and submit to the next legislative assembly of the State of Oregon their findings therein;

Resolved, That the members of said commission shall receive no compensation for their services but shall be paid their necessary traveling and other expenses from the narcotic law enforcement fund, as provided for in chapter 116, General Laws of Oregon, 1923: Provided, That the expenses shall not exceed \$500.

Water Districts-Annexation of Contiguous Territory. (Ch. 385, Act March 3, 1927)

Section 1. That any territory contiguous to an existing water district, incorporated for the purpose of supplying its inhabitants with water for domestic purposes, and not within the boundaries of a water district incorporated for the purpose of supplying its inhabitants with water for domestic purposes, or cities or towns, may be included in and incorporated with such water district OREGON 659

by petition of 15 per cent of the legal voters in such contiguous territory and filed with the county clerk of the county in which said contiguous territory is located and proceedings thereafter in the county court, which proceedings and the rights and powers and duties of petitioners and objectors shall be the same as in an original proceeding to incorporate such territory as a water district. Such petition, however, shall be approved by the board of commissioners of said water district by indorsement thereon before it shall be filed with said county clerk and, before such approval is given, said board of commissioners shall secure from their water-supply source an agreement to supply such additional water as may be needed, if said board of commissioners is securing water from an independent source: Provided, however, That if said board of commissioners is securing water from its own district plant, then such consent shall not be necessary. Should such petition be signed and acknowledged by the owners of all lands to be included, specifically describing such lands, an election in such territory and a hearing on such petition shall be dispensed with and the county court shall enter its order incorporating such territory within said existing water district: *Provided, however*, That no order shall be entered incorporating additional territory as a part of an existing water district until and unless the board of commissioners of such district shall certify to the county court that an election has been held in such water district on such question and that a majority of the votes cast therein were favorable to the inclusion of such contiguous territory. Should such petition be signed and acknowledged by the owners of only a part of the lands to be included, the order of the county court shall not be entered until and unless the board of commissioners of the existing water district, and the county clerk of the county in which the contiguous territory sought to be included is situated, shall each verify to the county court that an election has been held in such water district and in such contiguous territory, on such question, and that a majority of the votes cast in such existing water district, and a majority of the votes cast in such contiguous territory, severally, were favorable to the inclusion of such contiguous territory. Upon the entry of the order of the county court incorporating such contiguous territory with such existing water district said territory shall become subject to the indebtedness, bonded or otherwise, of said existing water district in like manner as the territory within such district.

County Dairy Herd Inspector—Appointment, Removal, Compensation, Qualifications, Powers, Duties, and Bond. Dairy Cattle—Inspection—Tuberculin Testing—Health Certificate Required for Animals Imported—Applicability of Act. (Ch. 348, Act March 3, 1927)

SECTION 1. There is hereby created in the State of Oregon the office of county dairy herd inspector. Such inspector shall be appointed by each county court of the State of Oregon, with the approval of the State veterinarian of Oregon, and such officer and any assistants necessary to be appointed shall hold office during the pleasure of said court, and may be removed for cause at any time by said court, in which case said court shall immediately appoint another

qualified person to such office.

SEC. 2. Said inspectors shall each receive as full compensation for their services the following fees: For single bovine dairy animals tested, 35 cents per head, 25 cents of which shall be paid by the owner. For herds of more than one head, 25 cents, of which 15 cents shall be paid by the owner. The fees collected from the owner shall be certified to the county court by the officer making the test, giving owner's name and address, number of animals tested, and amount of fees collected. The residue of the fees due the county dairy herd inspector, or other inspector, shall be paid out of the county general fund upon the inspector filing his monthly report, giving the number and kind of animals tested, fees collected, and amount due from the county: Provided, however, That the county court of any county in the State of Oregon may, in its discretion, authorize the payment to such inspector for his said services of a further fee of not to exceed 15 cents per head, in addition to the aforementioned fee, same to be paid out of the county general fund in the same manner that other fees are paid under this act.

Sec. 3. Said inspectors shall be competent and qualified graduates in good standing of a recognized veterinary college, having a course of not less than three years, embracing terms of not less than six months in each year, and they shall devote such time as may be necessary in the performance of the duties of

their office and shall reside, during their term of office, in the county for which

they are appointed.

SEC. 4. Every person owning a bovine dairy animal or in charge of same, or in any way controlling the keep or care of same, shall present such animal or animals for inspection and the tuberculin test upon notification from the county herd inspector, his assistants, or other officials designated in this act. and it shall be the duty of said inspector to inspect and administer the tuberculin test to all such dairy animals in his county. Such tuberculin testing provided for in this act shall be conducted in such manner as may be approved by the State livestock sanitary board, and it shall be deemed most effective in the eradication of bovine tuberculosis and contagious, infectious, and communicable diseases of dairy cattle, and such inspector shall exercise all the powers and perform all the duties of a deputy State veterinarian within his county. He shall, within 10 days after the inspection or the tuberculin test of any cattle. deliver to the owner a certificate of health or inspection covering such animal or animals as did not show a suspicious or positive reaction to the tuberculin test or present clinical evidence of tuberculosis or other diseases. Each gradebovine animal tuberculin tested and found free shall have applied to the right. ear a metal tag upon which a serial number and the name of the county shall appear; those animals reacting to the tuberculin test shall have a condemnation ear tag applied to the left ear and shall be branded with the letter "T" on the left jaw. Such certificate shall give a description of the animal certified to and may cover such particulars as age, sex, breed, tag number, temperature records, result of test or examination, or other information such as the Statelivestock sanitary board shall demand. The said county herd inspector shall at all times work under the direction of the State livestock sanitary board, and shall be governed by the rules and the provisions of sections 9115 to 9151, both inclusive, Oregon laws, creating the said board. Said herd inspector or any assistant herd inspector appointed shall, within his county, possess the full powers conferred by the said acts and by the rules and regulations of the said board given to a deputy State veterinarian, but such officer shall not be entitled to claim reimbursement from the State for any services rendered or expenses incurred, and his appointment shall at any time be revocable by the board.

Sec. 5. Such inspection of dairy cattle shall commence on or immediately after June 1, 1927, and be completed within one year thereafter, and a like inspection shall be made by said inspector annually thereafter, so that every bovine dairy animal within his county shall be inspected at least once in each 12 months: Provided, however, That if the conditions in any county in the State shall be such as in the judgment of the State livestock sanitary board to render an annual tuberculin testing unnecessary therein, such county may be exempted from such annual testing and instead the board may order a biennial

tuberculin testing therein,

Sec. 6. The said herd inspector shall make monthly reports. One copy of said report to be filed with the State veterinarian, and one copy to be filed with the county court, and one copy to be retained and kept by said inspector; said reports to be made and filed on or before the 10th day of each month

next succeeding that during which the inspection was made.

Sec. 7. Said inspector shall have the right and authority to enter the premises where any dairy animal or dairy animals subject to inspection hereundermay be and make such use of said premises as may be necessary to make the inspection herein provided for, and it shall be the duty of the person in charge of any such dairy animal or dairy animals so being inspected to render said inspector or his assistants such assistance as may be required in carrying out said work, and any person who obstructs or interferes with the county herd inspector or representatives of the State livestock sanitary board, United States Bureau of Animal Industry, veterinarian, or State-Federal accredited veterinarian, in the performance of his duties, under this act, or who interferes or refuses to permit his dairy animals to be tested, as hereinbefore provided, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$500 and costs, or by imprisonment for not more than six months in the county jail, or both such fine and imprisonment, in the discretion of the court.

such fine and imprisonment, in the discretion of the court.

SEC. 8. Each county herd inspector and assistant shall, before entering upon the duties of his office, give a bond to the county for which he has been appointed in the sum of \$1,000, conditioned for the faithful performance of his

duties as herein provided.

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Sec. 9. The county court of each county of the State of Oregon shall appropriate and include in its annual budget a sum of money sufficient to provide for the necessary annual testing of all dairy cattle within the borders of said county, taking into consideration the returns from fees charged and the agreements made for the assistance and cooperation of State or Federal inspectors.

Sec. 10. All claims for service rendered under this act and payable out of the general funds of the county shall be audited and allowed by the county court before a warrant may be drawn upon said fund and paid by the treasurer.

SEC. 11. The tuberculin testing and inspection of bovine dairy animals provided for in this act may be done and performed by any Federal, State, or Federal accredited veterinarian, or county herd inspector, and shall be conducted in cooperation with the Oregon livestock sanitary board and the United States Bureau of Animal Industry whenever the services of either are available, the work being apportioned in accordance with the mutual agreement between the county court, the Oregon State livestock sanitary board, and the United States Bureau of Animal Industry. A test or inspection made by any of said officers in conformity with the requirements of this act shall, to all intents and purposes, be deemed and considered equivalent to a test and inspection by the regular county herd inspector, and shall be a sufficient compliance with the provisions of this act by the owner of the cattle so tested and inspected: Provided, however, That no Federal, State or Federal-State accredited veterinarian, except the officially appointed county herd inspector or his assistants, shall be entitled to receive from any county any compensation for his said services, except that the actual expenses of transportation within the county of such Federal veterinarian as may be engaged in cooperative tuberculin test work may be paid out of the county general fund: And provided further, That the actual traveling expenses of an assistant State veterinarian may be paid out of the county general fund of such counties wherein no veterinarian is available for appointment as county herd inspector.

SEC. 12. All fines collected for violations of this act in each county shall be

paid into and become a part of the county general fund.

SEC. 13. The fees herein provided for the testing of bovine dairy animals shall be collected by Federal, State, assistant State, or county herd inspectors and shall be receipted for to the owner, and all such fees as may be collected by Federal, State, or assistant State veterinarian shall be turned in to the county general fund of the county in which the animals are tested. If all fees due for testing, tagging, and marking an mals under the provisions of this act are not paid within 30 days from and after the date of inspection, the inspector or officer making the test shall certify the amount of such fees to the county clerk, who shall enter same in a book kept by him for that purpose, and thereupon, from the date of such entry, said amount shall constitute a valid lien upon the cattle tested, tagged, or marked. The certificate of lien so filed with the clerk shall contain the name and post-office address of the owner of the cattle tested, n brief description of such cattle sufficient to identify same, and of the place where they are kept, the date when and place where test was made, the name of the testing officer, the amount of fees due for such service, and a statement to the effect that a lien is claimed by the county upon said cattle to the extent of said specified amount. Upon the filing of such lien the same shall be reported by the clerk to the county court and sa d court shall instruct the proper officer to extend the amount of such lien on the assessment roll in a separate column, and said amount shall be collected with the next personal property tax on such animals in the same manner as taxes are collected, and the procedure provided by law for the collection of taxes and delinquent taxes against personal property shall be applicable thereto. When collected such fees shall become a part of the general fund of the county.

Sec. 14. It shall be unlawful for any person to bring into any county subject to the provisions of this act any bovine dairy livestock over 6 months old unless such person shall first have obtained a written certificate from a competent and qualified veterinarian possessing the qualifications prescribed by section 9225, Oregon Laws, showing said livestock to be free from bovine tuberculosis and other diseases of cattle. Said certificate shall not be good if issued more than one year prior to the date when said livestock are brought into said county, and said certificate must be shown to the county dairy herd inspector or any other officer upon demand. In such counties as are classed as accredited free area by the United States Bureau of Animal Industry, Depart-

ment of Agriculture, a certificate of health and inspection shall be required of all bovine animals that enter said county unless the same are for purposes

of immediate slaughter or yard feeding and fattening purposes.

SEC. 15. This act shall apply to and be operative only in those counties of the State of Oregon in which there are a greater number of dairy animals than beef animals as shown by the last United States Government census, and the provisions of this act shall not apply to any breed or breeds of cattle run as strictly range animals.

SEC. 16. That sections 9224, 9225, 9226, 9227, 9228, Oregon Laws; chapter 7, General Laws of Oregon, 1921; chapter 98, General Laws of Oregon, 1921; chapter 55, [General] Laws of Oregon, 1923; chapter 104, General Laws of Oregon, 1923; chapter 65, General Laws of Oregon, 1923; chapter 13, General Laws of Oregon, 1923; chapter 21, General Laws of Oregon, 1925; chapter 174, General Laws of Oregon, 1925; chapter 141, General Laws of Oregon, 1925; and chapter 366, General Laws of Oregon, 1925, be, and the same are hereby, repealed.

SEC. 17. If any clause, sentence, paragraph, section, or part of this act shall for any reason be adjudged to be invalid by any court of competent jurisdiction, such judgment shall not impair the remainder thereof, but shall be confined strictly in its operation to the particular clause, sentence, paragraph, or part

thereof so held to be invalid.

Business of Disposing of Dead Animals and Business of Feeding Garbage or Offal to Swine—Sanitary Requirements. (Ch. 88, Act February 15, 1927)

[This act amends sections 3 (as amended by ch. 98,3 laws of 1925) and 9 of chapter 214,4 laws of 1921, to read as follows:]

SEC. 3. No place shall be deemed a suitable and sanitary place for disposing of the bodies, carcasses, or parts of animals unless it conforms to the following specifications: Building of sanitary construction adapted to the purposes intended; provided with properly drained concrete or cement floors; such buildings to be fly tight and so constructed as to exclude rats, other rodents, and vermin. Such place shall be so situated, arranged, and constructed as not to interfere with the comfortable enjoyment of life and property of any of the residents of this State. In case such dead bodies, carcasses, or parts of animals are to be disposed of by rendering, the cooking vats or tanks shall be air-tight, except proper escapes or vents for the steam used in rendering or cooking. Such escaping steam shall be so disposed of as not to cause unnecessary annoyance or to create a nuisance. All storing, skinning, and dismembering of dead bodies, carcasses, or parts of animals shall be done within such buildings in such a manner that no public annoyance or nuisance shall be caused by the unsightly appearance or stench of such bodies, carcasses, or parts of animals. In case dead bodies, carcasses, or parts of animals are disposed of by burning, the place for such burning shall be so located, constructed, and arranged as to cause no annoyance to any of the residents of this State by such burning, and so as not to essentially interfere with the comfortable enjoyment of life and property. All parts of such bodies, carcasses, or parts of animals not entirely consumed by such burning shall be disposed of by burying, as hereinafter provided, or in such other manner as may be directed by the dairy and food commissioner. In case dead bodies, carcasses, or parts of animals are disposed or by burning, they shall be buried to such a depth that no part of any such body, carcass, or parts of animals shall be nearer than 4 feet to the natural surface of the ground, and every part of such body or carcass or parts of animals shall be covered with quicklime and by at least 4 feet of earth. No place shall be deemed suitable for engaging in the business of feeding garbage or offal or fresh animal products to swine unless it conforms to the following requirements: All places licensed under this act to conduct the business of feeding garbage; offal, or fresh animal products to swine must have properly drained, water-tight floors in all sections where feeding is done and where feeds are mixed or prepared for feeding. All buildings connected with such licensed places shall be of sanitary construction. Manure and other refuse shall not be allowed to accumulate in such buildings nor upon the premises in such a location as shall be offensive to the neighborhood

Supplement 59 to Public Health Reports, p. 395.
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or those traveling on a public highway. All swine fed or kept at any of the places licensed under this act shall be subjected to the double anti-hog-cholera treatment under the supervision of a licensed veterinarian and all offal or fresh animal products shall be thoroughly cooked before being fed to swine. Such places shall be so situated, located, arranged, and constructed as not to interfere with the comfortable enjoyment of life and property of any of the residents of this State.

Sec. 9. The term garbage, as used herein, shall be understood to mean any and all refuse accumulations of animal or vegetable matter which had been intended for human food and includes the refuse from any home, restaurant, or hotel kitchen, the refuse from any bakery, grocery, or food-manufacturing

plant that is used or may be used as food for swine.

The term offal or fresh animal products, as used herein, shall be understood to mean the refuse from any slaughterhouse or any products of slaughtered

animals that are to be used or may be used in feeding swine.

Any person, firm, or corporation who shall obtain from any person, firm, or corporation by purchase or otherwise the body, carcass, or parts of animals, for the purpose of obtaining the hide, skin, or grease from such body, carcass, or parts of animals, or for the purpose of disposing of the body, carcass, or parts of animals in any way whatsoever, shall be deemed to have engaged in the business of disposing of the bodies, carcasses, or parts of animals, and shall be subject to all the penalties and provisions of this act: Provided, That nothing in this act shall interfere with the owner disposing of dead animals on his own premises, nor shall it apply to any person not engaged in the business of disposing of bodies, carcasses, or parts of animals, or not engaged in the business of feeding garbage or offal to swine, or who may feed to swine garbage accumulated from his own household, or other offal that may have accumulated upon his own premises.

Noxious Rodents-Eradication. (Ch. 64, Act February 12, 1927)

Section 1. That section 2, chapter 5,5 General Laws of Oregon, 1925, be and

the same hereby is amended so as to read as follows:

"Sec. 2. Whenever interested parties shall present to the county court of the county in which the control district is proposed to be located a petition for a special control district for the purpose of exterminating and eradicating ground squirrels and other noxious rodents and predatory animals, describing the area to be included, naming the noxious rodents and predatory animals to be destroyed, bearing the signatures of not less than 60 per cent of the farm owners in said described area, the county court or board of county commissioners in any county of this State must declare such area a special rodent and predatory animal district and such rodents and predatory animals noxious within said district, in accordance with the petition."

Bedding and Upholstered Furniture—Enforcement of Act—Appointment, Duties, and Compensation of State Mattress Inspector—Permit for Making and Repairing—Labeling—Inspection—Condemnation and Destruction. (Ch. 318, Act March 3, 1927)

[Sections 1 to 6 amend sections 1, 11, 14, 15, 16, and 17 of chapter 268, laws

of 1923; to read as follows:]

Section 1. That the word "mattress" shall mean any quilted pad, mattress, mattress pad, mattress protector, bunk quilt, or box spring, stuffed or filled with excelsior, straw, hay, moss, fiber, cotton, wool, hair, jute, kapok, or other soft material to be used on a couch or other bed for sleeping or reclining purposes. The words "pillow," "bolster," or "feather bed" shall mean any bag, case, or covering made of cotton or other textile material and stuffed or filled with fiber, cotton, wool, hair, jute, feathers, feather down, kapok, or other soft material to be used on a bed, couch, divan, sofa, lounge, or other articles of upholstered furniture for sleeping or reclining purposes. The word "comforter" shall mean any cover, quilt, or quilted article made of cotton or other textile material and stuffed or filled with fiber, cotton, wool, hair, jute, feathers, feather down, kapok, or other soft material to be used for sitting, resting, or

Supplement 59 to Public Health Reports, p. 390.
 Supplement 49 to Public Health Reports, p. 313.

reclining purposes. The word "cushion" shall mean any bag or case made of leather, cotton, or other textile material and filled with fiber, cotton, wool, hair, feathers, feather down, kapok, and other soft materials to be used as a hammock, chair, couch, divan, sofa, or lounge, or other article of furniture for reclining, resting, or sleeping purposes. The words "upholstered furniture" shall mean any article of furniture stuffed or filled with excelsior, straw, moss, fiber, cotton, wool, hair, jute, feathers, feather down, kapok, or other soft

material to be used for sitting, resting, or reclining purposes.

Sec. 11. The State board of health, through its officers and employees, is hereby charged with the administration and enforcement of this act. State board of health shall appoint a State mattress inspector. Such inspector shall hold office during the pleasure of the board. It shall be the duty of the inspector to inspect mattresses, bedding, furniture, or other articles mentioned in this act coming from points without this State and to enforce the provisions of this act within this State. His salary shall be fixed by the State board of health at not to exceed \$150 per month and expenses necessarily incurred in the performance of his official duties shall be paid monthly from the funds of the bedding and upholstery fund: Provided, That his monthly accounts shall be first approved in writing by the secretary of the State board of health.

SEC. 14. All persons commercially engaged in the making and repairing of any article of bedding must apply to the State board of health for a permit to be issued upon the payment of a \$5 yearly fee or any fraction thereof and agree to conduct said business in a sanitary manner and in compliance with this act, said permit to be revocable at any time after 30 days' notice, should evidence of violation of this act or insanitary conditions be apparent to the inspector. All license fees under this act shall be paid on the 1st day of June of each year, beginning with the 1st day of June, 1927: Provided, That those who have heretofore paid a license fee covering any period of time after the 1st day of June, 1927, shall be entitled to receive from the State board of health a prorata remittance in the form of tags hereinafter provided for in this act and it shall be the duty of the State board of health to remit the same on request of any said license, such request being accompanied by an affidavit stating the date on which said license was issued; it shall then be the further duty of the State board of health to compare the date stated in said affidavit with the records of paid fees now on file and shall then send to said licensee the amount in tags due. Each and every mattress or article covered by this act shall bear, securely attached thereto, visible on the outside covering, a tag, to be procured from the State board of health, upon which shall be plainly and indelibly printed in English the words, "This article is made in compliance with an act of the State of Oregon, approved -19-," and in addition, shall bear thereon the replica of the seal of the State of Oregon printed thereon. Such tag to be not less than 21/2 by 31/2 inches. It shall be unlawful for any person to imitate, counterfeit, sell, or have in his possession any imitated or counterfeited tag required under the provisions of this act. It shall be unlawful to remove, deface, alter, or in any manner attempt the same, or cause to be removed, defaced, or altered any tag placed upon any article included in the provisions of this act. The State board of health is hereby authorized to contract for the printing of the tags required by the provisions of this act. The secretary of the State board of health shall, upon the application to him by any maker, remaker, renovator, or vendor, of any article covered by this act, furnish tags in quantities of not less than 1,000 tags, for which the applicant shall pay \$10 for each 1,000 tags, except that tags to be used upon pillows, cushions, bolsters, and comforters, and upon which shall be printed, in addition, "For use upon pillows, cushions, bolsters, and comforters," shall be furnished in quantities of not less than 1,000 tags, for which the applicant shall pay \$5 for each 1,000 tags. The fees so collected shall be paid over promptly to the State treasurer. The State treasurer shall establish a separate fund to be known as the "bedding and upholstery fund" into which all moneys collected under the provisions of this act shall be paid and from which all expenditures necessary in carrying into effect the provisions of this act shall be paid. All moneys in the "bedding and upholstery fund" are hereby specifically appropriated to the State board of health for the purpose of carrying into effect the provisions of this act and for the payment of salaries of employes and for research or other necessary expenses of the State board of health connected with the enforcement of this act. The money in the "bedding and upholstery fund" shall be paid to the use of the State board of health in advance from time to time as the same is

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required, upon requisition by the secretary of the board, but such expenditures shall never be in excess of the fees so collected and paid into said fund.

SEC. 15. The members of the State board of health or its employees shall sample, or open in any way for inspection at any time or place, any article covered by the provisions of this act that he has reason to believe is in violation of this act, and, upon examination, should he still be in doubt as to the true nature of the material or article, he shall consult invoices or other instruments or records he may see fit, held by any person, containing any information pertaining to the article or material in question.

SEC. 16. The State mattress inspector, with the concurrence of the State or local health officer, is hereby authorized and empowered to condemn and destroy any article of bedding under the provisions of this act which is not labeled in compliance with this act or which in their judgment is insanitary.

SEC. 17. Justices of the peace, district courts, county courts, and all other courts having jurisdiction as justices of the peace, shall have concurrent jurisdiction with the circuit courts of all prosecutions under this act.

Sec. 7. Nothing in this act shall be construed to prevent prosecution of in-

dictments now standing or any violations of the present act which may here-

after be brought to the attention of the district attorney.

SEC. 8. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this act; it shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

Drains and Sewers-Repeal of Certain Statutory Provisions Relating to Construction of, by Cities Beyond Corporate Limits. (Ch. 349, Act March 3, 1927)

Section 1. That sections 3773, 3774, 3775, 3776, 3777, 3778, 3779, and 3780, Oregon laws, be, and the same hereby are, repealed.

Barbering-Health Certificate Required of Applicants for Certificate of Registration as Barber or Apprentice—Refusal to Issue, Suspension, or Revocation of Certificate of Registration-Use of Certain Places for, Regulated-Prescribing of Sanitary Requirements for and Inspection of Barber Shops and Barber Schools. (Ch. 365, Act March 3, 1927)

Sec. 5. Qualifications for certificate of registration as registered barber.—A person is qualified to receive a certificate of registration to practice barbering: 1. Who is qualified under the provisions of section 6 of this act;

6. Who produces a certificate from a registered physician that he is free from contagious or infectious disease.

Sec. 6. Qualifications for certificate of registration as registered apprentice.-A person is qualified to receive a certificate of registration as a registered apprentice:

6. Who produces a certificate from a registered physician that he is free from contagious or infectious diseases.

SEC. 16. Refusal and revocation of certificate.—The board [of barber examiners] may either refuse to issue or may suspend or revoke any certificate of registration for any one or combination of the following causes:

Continued practice by a person knowingly having a communicable disease;

5. Habitual drunkness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs;

7. The commission of any of the offenses described in section 19, subdivisions 3, 4, and 5.

Sec. 19. Certain acts prohibited.—Each of the following constitutes a misdemeanor, punishable, upon conviction, by a fine of not less than \$25 nor more than \$200:

5. The use of any room or place for barbering which is also used for residential or business purposes (except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery, and such commodities as are used and sold in barber shops), unless a substantial partition of ceiling height separates the portion used for residential or business purposes.

SEC. 23. Rules, inspection, records.—The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary requirements for barber shops and barber schools, subject to the approval of the State board of health. Any member of the board or its agents or assistants shall have authority to enter upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations adopted by the board shall be furnished by the board to the owner or manager of each barber shop and barber school, and such copy shall be posted in a conspicuous place in such barber shop or barber school.

Cosmetic Therapy—Health Certificate Required of Applicants for Certificate of Registration—Secretary of State Board of Health Member of State Board of Cosmetic Therapy Examiners—Making of Regulations Prescribing Sanitary Requirements—Inspection of Establishments—Refusal to Issue, Refusal to Renew, Suspension, or Revocation of Certificate of Registration. (Ch. 192, Act February 25, 1927)

Sec. 7. Certificate to practice; apprentice; shop.—When an applicant has complied with the requirements of this act and has furnished a certificate from a registered physician that he is free from contagious and infectious disease, the said board [State board of cosmetic therapy examiners] shall issue to said applicant a certificate to that effect according to the classifications herein defined, in the name of the board, signed by the president and the secretary, and attested by the seal of the board. * * * Any person who desires to become an apprentice with any registered practitioner, upon compliance with the rules of the board of cosmetic therapy examiners concerning health and character, shall, within 30 days from the date of commencing said apprenticeship, make application to said board for an apprentice card, and, such applicant showing such compliance with said rules, said board shall thereupon register the name and address of such applicant and issue such card. There shall annually be issued a card to each beauty parlor or shop or place where cosmetic therapy is practiced upon compliance with the rules and regulations of said board concerning health and sanitation. * *

Sec. 9. Creation of examining board; term of office; vacancies.—There is hereby created a State board of cosmetic therapy examiners consisting of three members. The secretary of the State board of health shall be ex officio a member of said board. * * *

Sec. 10. Organization of examining board; powers.— * * * With the approval of the State board of health said board shall enforce the provisions of this section and shall make and enforce reasonable rules governing the sanitary and hygienic conditions concerning the practice of cosmetic therapy and the conduct and operation of beauty parlors and the conduct and operation of cosmetic therapy schools. And for this purpose any member of said board may act as inspector or said board may appoint and remove one inspector who shall devote such time to inspecting any place devoted to the practice or teaching of cosmetic therapy. Whenever complaint is made to said board that an yplace devoted to the practice o fcosmetic therapy is kept in an insanitary condition or that contagious disease has been imparted to any person thereby or thereat, said board shall cause such complaint to be investigated and upon such cause shown shall institute proper proceedings thereon.

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Sec. 15. Revocation of license; appeal.—If a person * * * has continued practice while knowingly afflicted with infectious or contagious disease, or is addicted to the liquor habit or the drug habit to such a degree as to render him unfit to practice, or persists in violating the sanitary rules and regulations and other published rules and regulations of said board, * * * the said board may refuse to issue, may refuse to renew or to restore, may suspend, or may revoke a certificate to such person. * * *

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PENNSYLVANIA

Communicable Diseases—Reports of Cases—Quarantine—Placarding—Hospitalization—Attendance at Schools and Gatherings—Isolation—Contacts—Carriers—Typhoid and Paratyphoid Carriers and Convalescents—Incubation Periods—Disinfection—Disinfestation—Laboratory Examinations—Sale, etc., of Exposed Articles—Letting of Rooms, etc., Previously Occupied by Infected Person—Sale, etc., of Food on Premises Occupied by Infected Person—Burial—Funerals—Transportation of Dead Bodies—Transportation of Infected Persons. (Reg. Dept. of H., November 16, 1927)

Section I. Notifiable diseases.—1. Every physician practicing within the confines of this Commonwealth who shall treat or examine any person suffering from or affected with acute anterior poliomyelitis (infantile paralysis), anthrax, bubonic plague, epidemic cerebrospinal meningitis (cerebrospinal fever, spotted fever), chicken pox, Asiatic cholera, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), epidemic dysentery (bacillary or amebic dysentery), encephalitis lethargica, erysipelas, German measles, glanders (farcy), rabies (hydrophobia), leprosy, malaria, Malta (undulant) fever, measles, mumps, ophthalmia neonatorum, pellagra, pneumonia (all forms), puerperal fever, relapsing fever, scarlet fever (scarlatina, scarlet rash), smallpox (variola, varioloid), tetanus, trachoma, tuberculosis in any form, tularemia, typhoid fever, paratyphoid fever, typhus fever, whooping cough, yellow fever, or any disease hereafter declared by the department of health and the advisory health board to be communicable and notifiable shall forthwith make a report in writing of the same to the health authorities specified and in the manner prescribed by section 1 of the act of June 28, 1923.

2. Every householder or proprietor of a hotel or lodging house having on his premises any person for whom no physician has been called and who shows an unusual skin eruption or rash or swelling about the ear or jaw or has spasms of violent coughing shall report these facts immediately to the health officer of the city, borough, or township, giving the name of the person

and the location of the said premises.

3. Superintendents or other persons in charge of any institution for the treatment of disease or any educational institution maintaining dormitories and living rooms or an orphanage shall forthwith notify in writing the appropriate health officer and county medical director upon the appearance of a notifiable disease in his or her institution and shall thereafter follow the advice and instructions of the health authorities as to measures to be adopted for controlling the outbreak of such disease; but this shall not be interpreted in any way to relieve physicians of their duty forthwith to report cases which they may treat or examine in any such institution in the manner and form required by

the act of June 28, 1923, or the regulations of this department.

Section II. Quarantine and quarantinable diseases.—1. Quarantine is defined as the sequestration of persons, animals, or objects definitely infectious or known to have been exposed to infection for the purpose of limiting the spread of a communicable disease. It may be applied to individuals, households, or communities and may be enforced by placing a guard or guards. It shall include the posting of a placard at one or more entrances to the quarantined premises or area which shall state the name of the disease for which the quarantine is imposed, a warning that the premises or area is under quarantine and that none except the attending physician or physicians and the trained nurse or nurses shall enter or leave without the permission of the health authorities, and the penalty for violation of the quarantine. Quarantine may be enforced by the removal of the patient to a place in the State provided for the care and treatment of such communicable disease or diseases.

¹ Supplement 49 to Public Health Reports, p. 318.

2. The following diseases are declared to be quarantinable: Acute anterior poliomyelitis, bubonic plague, epidemic cerebrospinal meningitis (cerebrospinal fever, spotted fever), epidemic dysentery, chicken pox, Asiatic cholera, diphtheria (diphtheritic croup, membranous croup, putrid sore throat), German measles, leprosy, measles, mumps, scarlet fever (scarlatina, scarlet rash), small-pox (variola, varioloid), typhoid fever, paratyphoid fever, typhus fever, whoop-

ing cough and yellow fever.

3. Quarantine is further defined as (a) absolute, which shall include absolute prohibition of entrance to or exit from a building or area except by officers or attendants authorized by the health authorities and the placing of guards, if necessary, to enforce this prohibition; the posting of a placard in one or more conspicuous places; the prohibition of the passing out of any object or material from the quarantined premises or area; provision for the conveying of the necessities of life, under proper precautions, to those in quarantine.

Absolute quarantine shall be established for bubonic plague, cholera, small-

pox, yellow fever, and typhus fever.

(b) Modified, which shall include prohibition of entrance and exit as in absolute quarantine except in case of certain members of the household authorized by the health authorities to pass in and out; the posting of a placard; prohibition of the carrying out of the premises any object or material unless the same shall have been thoroughly disinfected.

Modified quarantine shall be established for epidemic cerebrospinal meningitis,

diphtheria, scarlet fever, acute anterior poliomyelitis, and leprosy.

(c) Partial, which is defined as quarantine applied to the infectious person or persons and suspectible household contacts. It shall include the prohibition of the exit from the premises of the infectious and susceptible persons and a placard conveying warning that a communicable disease exists on the premises, and that children must not be allowed to enter.

Partial quarantine shall be established for measles, German measles, mumps,

chicken pox, and whooping cough.

4. No child or other person suffering from diseases hereinbefore declared to be quarantinable shall be permitted to attend any place of amusement or any church or other public gathering or to be exposed on any public street or in any store, shop, factory, or other place of business, or be permitted to attend any public, private, parochial, Sunday, or other school, and the teachers of public schools and the principals, superintendents, teachers, or other persons in charge of private, parochial, Sunday, or other similar schools are hereby required to exclude any such person from said schools; such exclusion to continue until the case has recovered and the quarantine has been removed as hereinafter provided.

5. Isolation is defined as the confining of the infectious person to a room or suite of rooms to which none shall have access except the physician and attendant, with the prohibition of the passing out of infectious articles from the room or rooms. Household contacts shall not be quarantined. The premises

shall or shall not be placarded as hereinafter provided.

(a) Isolation with placard shall be required for typhoid fever, paratyphoid fever, epidemic dysentery, and pneumonia. Isolation without placard shall be required for anthrax, erysipelas, glanders, tularemia, Malta fever, encephalitis lethargica, and relapsing fever.

(b) If for any reason isolation with or without placard can not be accomplished or maintained, the household shall be quarantined whenever in the opinion of the health authorities the protection of the public may require it.

opinion of the health authorities the protection of the public may require it.

Sec. III. Quarantine periods.—1. The duration of quarantine, whenever a definite number of days is specified, shall be calculated from the date of appearance of first symptoms of the disease (date of onset).

2. The quarantine period for bubonic plague, Asiatic cholera, leprosy, typhus fever, and yellow fever shall be until the recovery, death, or removal of the last person on the premises suffering from the disease.

 The quarantine period for epidemic cerebrospinal meningitis shall be until the recovery (from all acute symptoms), death, or removal of the patient.

4. The quarantine period for acute anterior poliomyelitis shall be a minimum of 21 days or until the death or removal of the patient.

5. The quarantine period for chicken pox, measles, and German measles shall be a minimum of 16 days and until the complete clinical recovery, death, or removal of the last person on the premises suffering from the disease: *Provided*. That the quarantine period for these diseases may be reduced to a minimum of 10 days or until the complete clinical recovery, death, or removal of the

patient when the person suffering from the disease is the only susceptible in

the household.

6. The quarantine period for diphtheria shall be a minimum of 21 days or until the death or removal of the patient: Provided. That unless the members of the household shall have received immunizing doses of antitoxin or have been shown to be immune to diphtheria by reason of a negative Schick test the quarantine shall continue for a period of 5 days from the death or removal of the patient and that the placard shall not be removed until the expiration of the said 5 days. The quarantine period may be reduced to not less than 14 days whenever all members of the household shall have been given immunizing doses of antitoxin or are known to be immune to diphtheria, by reason of a negative Schick test, and two successive cultures taken not less than 24 hours apart from the patient's nose and throat shall have been reported negative.

7. The quarantine period for mumps shall be a minimum of 21 days or until the complete clinical recovery or removal of the last person on the premises suffering from the disease: Provided, Quarantine may be removed upon the complete clinical recovery or removal of the patient when the person suffering

from the disease is the only susceptible in the household.

8. The quarantine period for scarlet fever shall be a minimum of 30 days, or until the death or removal of the patient, and shall be continued until complete recovery from all catarrhal or purulent discharges incident or secondary to the disease: Provided, That the quarantine and placard shall continue for 10 days after death or removal of the patient should there be susceptible persons in the household.

9. The quarantine period for epidemic dysentery and pneumonia shall be

until the complete clinical recovery of the patient.

10. The quarantine period for typhoid fever and paratyphoid fever shall be until recovery, death, or removal of the patient: Provided, That the physician's request for removal of typhoid fever and paratyphoid fever quarantine shall not be made until the patient's temperature shall have been normal for at least seven days.

11. The quarantine period for smallpox shall be a minimum of 30 days and shall continue for such additional period as may be required for the complete

cicatrization of all lesions.

12. The quarantine period for whooping cough shall be a minimum of four weeks from date of onset: Provided, That after the third week, and with the permission of the health authorities, the patient may be taken upon the streets or highways by a competent person whose responsibility it shall be to prevent contact with individuals other than those of the immediate household.

13. Any person suffering from encephalitis lethargica, anthrax, erysipelas, glanders, Malta (undulant), fever, relapsing fever, or tularemia shall be isolated until complete clinical recovery or death. If for any reason isolation can not be accomplished or maintained, the premises shall be placarded and the household quarantined whenever in the opinion of the health authorities the

protection of the public may require it.

14. Tuberculosis, gonorrhea, chancroid, and syphilis in its communicable stages are declared to be communicable diseases and to be subject to quarantine whenever in the opinion of the secretary of health or his medical representative or of the local health authorities the patient is a menace to the public health by reason of his character, occupation, habits, or his neglect of treatment and the methods designed to protect others from infection.

15. Persons known to have been exposed to any communicable disease, when in the opinion of the health authorities it is necessary, shall be quarantined and the premises placarded. The following shall be the form of the placard:

OBSERVATION QUARANTINE

Persons other than those of the household are forbidden to enter .

16. Quarantine of those exposed to a communicable disease shall be terminated at the end of the incubation period of the d'sease in question as hereinafter set

forth, provided they have not developed the disease.

17. Persons known to be carriers of the following pathogenic organisms, namely, diphtheria bacilli, cholera bacilli, dysentery bacilli, typhoid bacilli, and paratyphoid bacilli, and who in the opinion of the secretary of health, his medical representative, or of local health authorities, are a menace to the public health by reason of their character, occupation, habits, or neglect of the methods designed to protect others from infection, may be placed under quarantine until such time as they cease to be carriers as determined in the department of health laboratories or until released by order of the secretary of health

health laboratories or until released by order of the secretary of health.

18. Persons known to be carriers of typhoid and paratyphoid bacilli and typhoid fever and paratyphoid fever convalescents, until shown by laboratory examinations, as provided for in these regulations, not to be carriers, shall not change their residence without notice to the health authorities and shall not engage in any occupation involving the handling, serving, cooking, or production of foods, including milk and its derivatives, intended for public consumption. Any privy or privies on a premises on which a typhoid or paratpyhoid fever carrier resides shall be screened or otherwise made fly proof and the contents of the vault shall be limed at least twice a month.

SEC. IV. Household contacts.—1. No child or other person residing on the same premises with a person suffering from any disease hereinbefore declared to be quarantinable shall be permitted, except with the consent of the health authorities, or as may hereinafter be provided, to attend any place of amusement, church, or other public gathering or be exposed on any street or highway or in any shop, store, factory, or other place of business, or attend any public, private, parochial, Sunday, or other school, and the teachers of public schools and the principals, superintendents, teachers, or other persons in charge of private, parochial, Sunday, or other schools are required to exclude any and all such persons, such exclusion to continue until quarantile is removed.

2. Any child or other person residing on the same premises in which a person is suffering from a disease hereinbefore designated as quarantinable, if immune to the disease by reason of a prior attack—the fact of such attack to be shown by records of the health authorities—may, with the consent of the health authorities, remove from the quarantined premises and take up his or her residence on other premises and may then in all respects resume the contact with the public which was interrupted by the quanantine: Provided, That where the quarantine is established for measles, German measles, chicken pox, mumps, or whooping cough the adult members of the household and immune children—immunity to be determined as above—shall not be included in the quarantine and shall be free to enter and leave the premises for all purposes, including school attendance.

3. Any nonimmune child or other person residing on the same premises with a person suffering from any disease hereinbefore designated as quarantinable may, with the consent of the health authorities, remove to other premises occupied by adults or immune children and after an observation quarantine corresponding to the incubation period of the disease in question shall be permitted to resume in all respects the interrupted contact with the public: *Provided*, That the provisions of this paragraph shall not apply to household contacts of bubonic plague, Asiatic cholera, smallpox, typhus fever, yellow fever, or

diphtheria, except as may hereinafter specifically be arranged for.

4. Maximum incubation periods are declared to be—

Acute anterior poliomyelitis (infantile paralysis)	14	days.
Cerebrospinal meningitis	14	days.
Chicken pox	16	days.
German measles	14	days.
Measles	14	days.
Mumps	21	days.
Scarlet fever	10	days.
Smallpox		
Diphtheria	. 5	days
Whooping cough	14	days.

5. Any child or other person residing on a premises under quarantine for diphtheria, if given an immunizing dose of diphtheria antitoxin or known, by reason of a negative Schick test, to be immune to diphtheria, may remove to other premises and at once be relieved of further quarantine restraint.

6. Any person residing on the same premises with a case of smallpox, if his or her immunity to the disease can be established, either by reason of a prior attack of the disease or successful vaccination, may, at the discretion of the health authorities, be permitted to remove from the premises, due precaution being taken to prevent the carrying of infection, either on his person or clothing.

7. Any child or other person residing on a premises in which exists a case of typhoid fever, paratyphoid fever, dysentery, anthrax, glanders, Malta fever, pneumonia, tularemia, encephalitis lethargica, or erysipelas shall not be restricted in his or her attendance at school or other vocation provided the patient is properly isolated and measures for the protection of the other members of the household from infection are faithfully observed. When such precautions do not obtain, the household shall be placed under quarantine: And provided further, That no person residing on a premises in which a case of typhoid fever, paratyphoid fever, or dysentery exists shall be permitted to engage in the sale or handling of milk, or in the sale, handling, or manufacture of milk products or in any food or drink handling establishment whatsoever.

8. No physician or other person, except the health officer or other representative of the health authorities, shall grant permission for any person to remove

from a premises on which a case of communicable disease exists.

9. Health officers shall grant permission to the wage earner in households under modified quarantine, when isolation of the patient is maintained and the wage earner does not come into direct contact with the patient's attendant, to enter and leave the premises for the purpose of following his vocation: Provided, That the said wage earner is not employed in any establishment handling or producing, in any manner, milk, milk products, candy, or other foodstuffs; or in the manufacture, sale, or other handling of wearing apparel, upholstery, or tobacco: Provided further, In the case of diphtheria, the wage earner shall have received an immunizing dose of diphtheria antitoxin. The wage earner's permit shall not be construed as including permission to attend any public meeting or gathering whatsoever and may be revoked if its terms are violated.

SEC, V. Termination of quarantine and disinfection.—1. Quarantine for bubonic plague, Asiatic cholera, leprosy, smallpox, typhus fever, and yellow fever shall be removed only at the direction of the secretary of health or his medical representative and only after thorough disinfection and disinfestation

(bubonic plague, typhus fever, yellow fever) of the premises.

2. The quarantine for acute anterior poliomyelitis, diphtheria, cerebrospinal meningitis, typhoid fever, paratyphoid fever, dysentery, pneumonia, and scarlet fever shall be terminated upon receipt from the attending physician of a written request for its removal, which request shall include the statement that the patient has entirely recovered from the disease and that there are no other cases upon the premises: Provided, That every convalescent from typhoid fever shall be considered a carrier and subject to all the restrictions placed upon carriers until there have been received from the laboratory at least two successive negative reports on specimens of stools and urine, taken not less than five days apart.

3. Quarantine for measles, German measles, mumps, whooping cough, and chicken pox may be terminated by the health officer upon request of the householder: *Provided*, The minimum quarantine period has expired, the patient has completely recovered, there are no secondary cases, and the premises have been

disinfected, which facts the health officer shall verify.

4. Disinfection prior to removal of quarantine for any of the diseases mentioned in Section II, paragraph 2, shall consist of a thorough soap and water cleansing of the sick room or rooms and the use of germicidal solutions on all exposed surfaces, followed by thorough exposure to sunlight and air and the disinfection, by boiling or immersion in a germicidal solution, of the bedding and other objects in the room or rooms, provided disinfection with formaldehyde gas shall be required after smal pox and leprosy, in addition to the cleansing already specified: Provided further, That the health authorities may insist upon the destruction of such infected or presumably infected objects or material as the protection of the public may require.

5. No person shall give, lend, sell, transmit, or expose, without previous disinfection and a certificate from the health officer attesting to such disinfection, any bedding, clothing, rags, or other articles which have been exposed to infection from any of the diseases mentioned in Section II, paragraph 2, of these regulations: *Provided*, That such restrictions shall not apply to the transmission of such articles with proper precaution and the permission of the health

authorities for the purpose of having same disinfected.

6. No person shall let any room, house, or part of a house in which there has been a person suffering from tuberculosis or any of the diseases comprehended by Section II, paragraph 2, of these regulations without having such room, house, or part of a house and all articles therein previously disinfected to the satisfaction of the health authorities. The keeping of a hotel, boarding

house, or an apartment house shall be deemed as letting a part of a house to any person who shall be admitted as a guest into such hotel, boarding house, or

apartment house.

7. The sale, handling for sale, or any other distribution of milk for public consumption, or the sale, handling, distribution, or manufacture of any milk product or any other article of food or drink intended for public consumption on a premises in which exists a case of typhoid fever, paratyphoid fever, dysentery, erysipelas, scarlet fever, diphtheria, streptococcic sore throat, smallpox, tuberculosis, or epidemic cerebrospinal meningitis is prohibited unless special permission for the continued sale, handling, manufacture, or distributon shall have been given by the health authorities and measures approved by the secretary of health for the protection of the consumers are faithfully carried out.

8. In the preparation for burial of the body of any person who has died of Asiatic cholera, bubonic plague, smallpox, yellow fever, typhus fever, relapsing fever, or leprosy it shall be the duty of the undertaker or person acting as such to thoroughly disinfect by arterial and cavity injection with an approved disinfectant fluid, to wash the surface of the body with an efficient germicidal solution, and place such body within the coffin or casket in which it is to be buried within six hours after being first called upon to take charge of the same, provided said call is made between the hours of 5 a. m. and 11 p. m.; otherwise, such body shall be placed in such coffin or casket within 12 hours, the coffin or casket then to be closed tightly and not again opened unless permission be granted by the health authorities for special and satisfactory cause shown.

9. The body of any person who has died of any of the diseases mentioned in the immediately preceding paragraph, or of scarlet fever, diphtheria, or epidemic cerebrospinal meningitis, shall not remain unburied for a longer period of time than 36 hours after death unless special permission be granted by the health authorities extending the time during which said body shall remain unburied for special and satisfactory cause shown. The undertaker or person acting as such shall be responsible for any violation of the provisions of this

paragraph.

10. All services held in connection with the funeral of the body of a person who has died of any of the diseases mentioned or comprehended in the preceding paragraph or from measles, German measles, mumps, chicken pox, whooping cough, or acute anterior poliomyelitis shall be private and the attendance thereat shall include only the immediate adult relatives of the deceased who may not at the time be under absolute quarantine restrictions and the necessary number of adult pallbearers; and any advertisement of such funeral shall state the cause of death.

11. The body of any person who has died of any of the diseases mentioned in paragraphs 8, 9, and 10, in this section shall in no instance be taken into any church, chapel, public hall, or public building for the holding of funeral services. The undertaker or person acting as such, and the sexton, janitor, or other person having control of such church, chapel, public hall, or public building, shall be responsible for any violation of the provisions of this paragraph.

12. No undertaker or person acting as such at the funeral or burial of the body of a person who has died of any of the diseases mentioned in paragraphs 8, 9, and 10 of this section shall furnish or provide for such funeral or burial more than the necessary number of conveyances for such adult relatives as are mentioned in paragraph 10 of this section and pallbearers; and all such conveyances shall be disinfected, at such time and in such manner as may be directed and required by the health authorities; nor shall such body be conveyed from any dwelling or other building or place to any cemetery or other point or place except in a hearse or other vehicle used for the purpose of conveying corpses only or in such vehicle as shall be satisfactory to the health authorities and under such regulations as they may in any case adopt: Provided, That bodies dead of the diseases enumerated in paragraphs 8 and 9 may be transported by a public conveyance or a common carrier when prepared in the following manner: The body shall be thoroughly disinfected by arterial and cavity injections with an approved disinfecting fluid, the surface washed with an efficient germicidal solution and be incased in a metal or metal-lined coffin or casket which shall be hermetically sealed, or, if an ordinary coffin or casket be used, the outside case inclosing the same must be metal or metallined and hermetically sealed: Provided, The body may be placed in a coffin or casket fitted with a glass top hermetically sealed. The undertaker or person acting as such having charge of the funeral or transportation of such body shall be responsible for any violation of the provisions of this paragraph.

Section VI. Transportation of the infectious sick.—1. No person suffering from a quarantinable disease shall enter any private, hired, or public conveyance and no one having charge of any person so suffering shall permit his charge to enter such a vehicle without previously securing the consent of the

health authorities.

2. Persons suffering from a quarantinable disease may be permitted to enter and be transported by a private or public conveyance or common carrier, provided the entire vehicle, car, or separate compartment in a car is used for the purpose of transporting only such person and the physician or trained nurse or other responsible person in charge of such patient: And provided, further, That the person so suffering or the person in charge of the one so suffering has secured and presented to the person in charge of such vehicle, car, or common carrier a permit in writing from the local health authorities if the transportation is to be entirely within the municipality; and, if to be carried beyond the limits of the jurisdiction of the local health authorities of any municipality, also a permit in writing from the secretary of health or his representative and of the municipality into which the patient is to be moved. The person or persons owning or operating the private, public, or common carrier shall be held jointly responsible with the person transported or those having charge of such person for any violation of this regulation.

3. Any person in charge of the patient shall be held responsible for the proper disinfection of all or any infectious discharges from the patient while en route and the health authorities, when it is deemed advisable, shall cause a placard to be posted on the car or conveyance bearing the name of the disease from which the person transported is suffering and the additional information mentioned in Section II, paragraph 1, of these regulations: Provided, That nothing in these regulations shall be construed as prohibiting the transportation of a patient suffering from a quarantinable disease for special treatment in emergency, proper effort made to consult the health authorities having failed.

Sec. VII. Schools.—1. All school directors, trustees, principals, and presidents of schools and colleges shall pay prompt and regular attention to the disinfection of buildings used for educational purposes immediately after the

discovery of any communicable disease within said building.

2. Every teacher, principal, superintendent, or other person or persons in charge of any public, private, parochial, Sunday, or other school shall immediately exclude any child or other person showing an unusual skin eruption, swelling about the neck suggesting mumps, soreness of the throat, or having symptoms of whooping cough or diseases of the eyes, and shall report the fact of such exclusion and the reasons therefor to the health officer of the township, borough, or city in which the school is situated, together with the name and

address of the child or other person excluded.

3. No child or other person excluded from school on account of having or of being suspected to have a communicable disease or any person residing on premises where there is or is suspected to be a quarantinable disease shall be readmitted thereto unless he or she or some one in his or her behalf shall present to the person in charge of said school a certificate setting forth that the conditions prescribed by regulation for the readmission to school have been complied with; which certificate shall be signed by a person to be designated for that purpose by the health authorities of cities, boroughs, or first-class townships or by the secretary of health in second-class townships or boroughs or first-class townships not having boards of health.

4. No child or other person suffering from acute contagious conjunctivitis (pink eye), impetigo contagiosa, pediculosis capitis, pediculosis corporis, scabies, tinea circinata, tonsilitis, trachoma, or favus shall be permitted to attend any public, private, parochial, Sunday, or other school; the teachers of public schools and the principals, superintendents, teachers, or other persons in charge of private, parochial, Sunday, or other similar schools are hereby required to exclude any such persons from said schools, such exclusion to continue

until the case has recovered or become noncommunicable.

5. No child or other person excluded from any school by the provisions of the preceding paragraph shall be readmitted thereto until medically attested to in writing as being incapable of transmitting the disease or condition because of medical treatment or as being recovered. Such attestation may be made by the attending physician, school physician, the local board of health, or medical representative of the secretary of health.

Communicable Diseases—Reports to State Department of Health by Secretary of Local Board of Health or Local Health Officer—Penalties in Connection with Placarding, Quarantine, and Disinfection—Penalty for Violation of Act or Regulations. (No. 40, Act March 24, 1927)

[This act amends sections 9 and 10 of act No. 341,2 laws of 1923, to read as follows:]

SEC. 9. The secretary of the board of health, or health officer where council fails to appoint a board of health, of the several cities, boroughs, and townships of the first class shall, at the end of each week and for the fraction of a week occurring at the end of each month, report to the department of health, upon blanks supplied for that purpose, a list of all cases of communicable diseases comprehended by section 1 of this act which have been reported to them during said period; which report shall contain the name of each person suffering therefrom, respectively, and his or her age, sex, color, and nativity, together with the name of the disease and the date of the onset thereof; and, in the event of no reports of any of said diseases having been received by the aforesaid health authorities, respectively, during any said period, that fact

shall be reported to the department of health.

Sec. 10. Any person who shall remove, deface, cover up, or destroy, or cause to be removed, defaced, covered up, or destroyed any placard relating to any of the diseases declared to be quarantinable shall for every such offense, upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein such offense was committed, be sentenced to pay a fine of not more than \$100, to be paid to the use of said county, and costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 days or more than 30 days, or both, at the discretion of the court. Any person other than the attending physician or trained nurse who shall enter or leave any quarantined premises without having secured permission from the health authorities; or who shall violate any of the quarantine restrictions imposed by the rules and regulations of the health authorities of any city, borough, or township of the first class or the rules and regulations of the department of health; or who shall interfere with a health officer or any other duly qualified agent of the department of health or of any local board or department of health in the discharge of his official duties in the placarding, quarantining, disinfecting, or releasing from quarantine of any premises or in the investigation of any alleged case of quarantinable disease, shall for every such offense, upon conviction thereof, in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed, be sentenced to pay a fine of not more than \$100, to be paid to the use of the said county, and costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 or more than 30 days, or both, at the discretion of

Any physician, undertaker, teacher of a public school, principal of a school, superintendent of a Sunday school, sexton, janitor, parent or guardian, or any other person or persons who shall fail, neglect, or refuse to comply with, or who shall violate, any of the provisions of this act or any regulation of the department of health or the local health authorities, shall for every such offense, upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the county wherein said offense was committed, be sentenced to pay a fine of not more than \$100, to be paid to the use of said county, and costs of prosecution, or to be imprisoned in the county jail for a period of not less than 10 or more than 30 days, or both, at the discretion

of the court.

Administrative Code-Appointment, Compensation, Powers, and Duties of Deputy to Act for Head of Department-Constitution of Water and Power Resources Board and Sanitary Water Board—Management and Control of State Hospital for Crippled Children. (No. 164, Act April 13, 1927)

[This act, among other things, amends sections 213, 425, and 433 of, and adds section 1813 to, act No. 274,3 laws of 1923, said amended sections and added section reading as follows:]

SEC. 213. Deputies.—The head of any administrative department * shall have the power, with the approval of the governor, to appoint and fix the

Supplement 49 to Public Health Reports, p. 318.
 Supplement 49 to Public Health Reports, p. 328.

compensation of a deputy, or such number of deputies as the executive board shall approve, who shall, in the absence of the head of such department, have the right to exercise all the powers and perform all the duties by law vested in and imposed upon the head of such department, except the power to appoint deputies, bureau or division chiefs, or other assistants or employees, and who may at any time exercise such of the powers and perform such of the duties of the head of his department as may be prescribed by the head of his department: Provided, however, That any such deputy shall not have the right to exercise any power or perform any duty which the constitution of the Commonwealth of Pennsylvania requires the head of his department personally to exercise or perform.

Whenever there shall be a vacancy in the office of the head of any department, such deputy as the governor shall designate in writing shall exercise the powers and perform the duties of the head of the department until the vacancy is filled.

With the approval of the governor in writing, the head of any department may authorize a named deputy to serve in his stead on any departmental administrative board or commission, * * *

SEC. 425. Water and power resources board.—The water and power resources board shall consist of five members, four of whom shall be the secretary of forests and waters, the secretary of health, the commissioner of fisheries, and a member of the Public Service Commission of the Commonwealth of Pennsylvania to be designated by the governor. The fifth member shall be an engineer, and shall receive compensation for his services at such rate per diem as shall be fixed by the other members of the board, but such compensation shall not exceed \$3,000 per annum.

The terms of the present members of the Water Supply Commission of Pennsylvania shall expire upon the date when this act becomes effective.

The secretary of forests and waters shall be chairman of the board.

SEC. 433. Sanitary water board.—The sanitary water board shall consist of the secretary of health, who shall be chairman thereof, the secretary of forests and waters, the commissioners of fisheries, and three other members.

Four members of the board shall constitute a quorum.

SEC. 1813. State hospital for crippled children.—The department of health shall have the power, and its duty shall be, to manage and control the State hospital for crippled children at Elizabethtown. The department shall have full control over the admission of patients to and their discharge from said hospital.

Boards of Health or Health Officers in Boroughs and First-Class Townships— Appointment—Annual Estimate of Probable Expenditures—Annual Report—Powers, Duties, Qualifications, and Certification of Health Officers. Health Laws—Cooperation in Administration and Enforcement of, in Boroughs and First-Class Townships. (No. 123, Act April 7, 1927)

[This act amends sections 1. 2, and 9 of, and adds section 9-a to, act No. 316, laws of 1913, said amended sections and added section reading as follows:] Section 1. That the administration of the health laws in boroughs and first-class townships shall be enforced by a board of health, or by a health officer or officers, as the case may be, appointed by the borough council or township commissioners.

Where borough council or township commissioners elect to appoint a health officer or officers, the said health officer or officers shall have the same powers and duties, and exercise the same authority, as is now prescribed for boards of health in boroughs and first-class townships. All health officers, whether appointed by boards of health or by borough council or township commissioners, shall have had some experience or training in public-health work in accordance with rules and regulations established by the advisory health board; and such health officers shall not enter upon the performance of their duties until they are certified so to do by the secretary of health of the State department of health,

Sec. 2. Where the borough council or township commissioners decide to appoint a board of health said board shall be composed of five members, at least one of whom shall be a reputable physician of not less than two years' experience in the practice of his profession. The members of the board shall be appointed by the borough council or township commissioners. At the first appointment

⁴ Reprint 264 from Public Health Reports, p. 394.

one member shall be appointed to serve for one year, one for two years, one for three years, one for four years, and one for five years; and thereafter one member shall in like manner be appointed each year, to serve for five years. The members of the board of health shall serve without compensation: Provided, however, If any member of the board shall be elected to the office of secretary, he shall be entitled to receive a salary, fixed by the board for that office.

SEC. 9. It shall be the duty of the board of health or appointed health officer or officers to submit annually, to the council or township commissioners, before the commencement of the fiscal year, an estimate of the probable expenditures of the board during the ensuing year, and council or the township commissioners shall then proceed to make such appropriations as may be necessary, and the said board of health, health officer, or officers, shall, in the month of January of each year, submit a report, in writing, to council or the township commissioners of its appropriation and expenditures for the preceding year, together with such other information on subjects relative to the sanitary conditions or requirements of the borough or township as may be necessary, and council or township commissioners shall publish the same in their official journal.

SEC. 9-A. Any borough or first-class township may cooperate with the county, or with any city in the county in which such borough or first-class township is located, as well as with the State department of health, in the administration

and enforcement of health laws.

Borough and First-Class Township Health Officers—Qualifications. (Reg. Dept. of H., November 16, 1927)

No person shall receive the appointment of borough or first-class township health officer unless he or she shall submit for the approval of the secretary of health evidence of the satisfactory completion of a course, acceptable to him, in elementary public-health work or of the course for health officers conducted by the State department of health. Such course shall include instruction in the causes, manner of transmission, prevention and control of the communicable diseases ordinarily met with in Pennsylvania and in the nature and correction of public-health nuisances.

In lieu of such instruction he or she may submit at least one year's experi-

ence as health officer.

Any applicant for the position of borough or first-class township health officer may be required to give to the secretary of health or his designated agents satisfactory evidence of his or her knowledge of the principles of communicable-disease control, the correction of public health nuisances, and familiarity with the public health laws of the State, the regulations of the department of health and advisory health board, and the public health ordinances of his or her borough or first-class township.

Certain Health Officers and Health Employees in Third-Class Cities—Civil Service Provisions Made Applicable to. (No. 119, Act April 7, 1927)

[This act amends sections 1, 5, 6 (as amended by act No. 412, laws of 1923) and 7 of act No. 73, laws of 1917. The original act brought salaried positions in the fire departments of third-class cities under civil service. The amendments of 1927 bring within the provisions of the act health officers, other than registered physicians, sanitary policemen, and inspectors of the health departments in cities of the third class.]

Health Laws and State Department of Health Regulations—Cooperation in Administration and Enforcement of. (No. 41, Act March 24, 1927)

Section 1. That any city, borough, or township may cooperate with the county in which it is situated, and with any political subdivisions within such county, as well as with the department of health of this Commonwealth, in the administration and enforcement of the health laws and of the rules and regulations of the department of health of this Commonwealth.

Violation of Orders or Regulations of State Department of Health or Resistance to or Interference With Officers Thereof—Penalty. (No. 122, Act April 7, 1927)

[This act amends section 16 of act No. 218, laws of 1905, to read as follows:] Sec. 16. Every person who violates any order or regulation of the department

of health, or who resists or interferes with any officer or agent thereof in the performance of his duties in accordance with the regulations and orders of the department of health, shall, upon conviction thereof in a summary proceeding before a justice of the peace, alderman, or magistrate of the county wherein such violation or offense is committed, be sentenced to pay a fine of not less than \$10 and costs nor more than \$50 and costs, such fine to be paid to the county in which the violation or offense is committed. In default of payment of such fine and costs the offender shall be sentenced to be confined in the proper county jail for a period of 30 days.

Public Eating or Drinking Places—Health Certificate Required of Employees-Employment of Typhoid Carriers Prohibited-Sanitary Requirements. (No. 283, Act April 27, 1927)

SECTION 1. That the words "public eating or drinking place" shall mean any place within this commonwealth where food or drink is served to or provided for the public, with or without charge, including, among others, hotels, restaurants, cafes, cafeterias, boarding houses, ice-cream saloons, soda-water, or soft-

drink fountains, and bars or taverns.

The word "proprietor" shall mean any person, firm, or corporation conducting or operating within this commonwealth a public eating or drinking

The word "employee" shall include any cook, waiter, kitchen help, chambermaid, house servant, or other employee of any kind, of or in a public eating or drinking place who, in any manner whatever, handles or comes in contact with any food or drink served to or provided for the public and any member of the proprietor's family who handles said food or drink.

The masculine pronoun shall be interpreted to include the feminine and neuter pronouns.

SEO. 2. No proprietor shall hereafter employ, or keep in his employ, any employee who is suffering from trachoma, active tuberculosis of the lungs, open skin tuberculosis, syphilis, gonorrhea, open external cancer, or barber's itch; and any such employee who at the time of the passage of this act is suffering from any of the above-named diseases shall at once be excluded from

such employment in such public eating or drinking place. SEC. 3. Every employee of any public eating or drinking place in this

commonwealth shall obtain a certificate from a registered doctor of medicine, certifying such employee is free from the diseases mentioned in section 2 of this act, and no employee shall be employed or permitted to work, in such public eating or drinking place in this commonwealth without having first obtained such certificate. Said certificate or certificates shall be in the form prescribed by the secretary of health and shall be filed with the local health authorities within five days from date of said medical examination, except that, in townships of the second class, such certificate or certificates shall be filed with the secretary of health. All such certificates shall be valid for a period of six months from date of issue and may be revoked at any time prior thereto if the employee named therein shall within said period contract any of the diseases mentioned in section 2 of this act.

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SEC. 4. No proprietor shall permit any employee to work in the public eating or drinking place conducted or operated by him if such employee is a carrier of typhoid fever, after a notice that such employee is such carrier has been served, in writing, upon him by a physician or the public health

SEC. 5. No proprietor shall furnish any towel or napkin to any patron of a public eating or drinking place unless such towel or napkin be laundered or discarded after each individual use thereof, nor shall there be furnished to the patrons of such eating or drinking places any dish, glass, or other receptacle, or utensil used in eating or drinking which has not been thoroughly cleansed with hot water and soap since it was used by another individual, or destroyed or discarded after each individual use.

SEC. 6. In every public eating or drinking place, the kitchen, dining room. cellar, ice box, refrigerator, and all places where foods are prepared, kept, or stored shall be kept clean and in a sanitary condition. All garbage, tin cans, and kitchen refuse shall be kept in a tight metal container, securely covered. and the contents thereof shall be removed at least once during each day. The dining rooms, kitchens, and pantries, where food is served, prepared, kept, or

stored shall be thoroughly screened from flies and insects. All serving trays, tables, trucks, boxes, buckets, knives, saws, cleavers, choppers, pots, pans, dishes, and other utensils and machinery used in moving, handling, cutting, chopping, mixing, preparing, or serving foods shall be thoroughly sterilized daily by hot water or steam and shall at all times be kept clean. The clothing and hands of employees shall at all times be clean and sanitary. All foods on display and for distribution or sale shall have full protection from dust, dirt, flies, and vermin by being kept under glass or cover. No domestic pets or other animals shall be permitted where food or drink is prepared, handled, or stored.

Sec. 7. All toilets and water-closets, lavatories, tubs, sinks, and drains used in or in connection with any public eating or drinking place shall at all times

be kept in a clean and sanitary condition.

SEC. 8. Any person, association, partnership, or corporation who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace, alderman, or magistrate in the county in which the offense was committed be sentenced to pay a fine of not less than \$10 nor more than \$50, to be paid to said county, and the costs of prosecution. Upon conviction for a second like offense such person or persons, association or associations, copartnership, corporation, or common carrier shall be fined not less than \$25 nor more than \$100, and costs of prosecution. In default of payment of such fine and costs all offenders shall be sentenced to be confined in the proper county jail for a period of not more than 30 days.

Sec. 9. If any section or sections or part or parts of a section of this act shall for any reason become or be declared to be inoperative or void, the remainder of the sections or of such section shall be and remain in full force and effect.

Carbonated Beverages and Still Drinks—Ingredients—When Deemed Adulterated—Regulations Authorized—Display Cards Where Sold from Bulk—Registration. (No. 430, Act May 6, 1927)

[This act amends sections 1, 5, 7, and 21 of act No. 399, laws of 1925, to

read as follows:]

Section 1. That the term "carbonated beverages" or "still drinks," as used in this act, shall include all carbonated beverages or still drinks, fruit juices, and mineral waters when ready for use as a beverage, whether still or carbonated, and whether simple, mixed, or compounded. The term shall not include natural apple cider, unfermented grape juice, cereal beverages, or carbonated beverages, or still drinks made in imitation of beer, bitter drinks, or other similar beverages.

The word "person" shall include individuals, associations, copartnerships,

and corporations.

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The singular shall include the plural; the masculine shall include the feminine and neuter.

Sec. 5. No carbonated beverages or still drinks shall be made except from sirup containing pure cane or beet sugar and pure flavoring materials with or without added fruit acids and with or without added color. Such carbonated beverages or still drinks shall contain not less than eight per centum sugar by weight. The provisions of this section with respect to the amount of sugar required shall not apply to ginger ale or to nonalcoholic fruit juices. This section does not prohibit the use of caramel colors or any other harmless ingredient, and nothing but harmless, certified, approved, artificial, coal-tar dye products and colors shall be used.

All carbonated beverages or still drinks shall be deemed to be adulterated which are not in compliance with the provisions of this section, or which contain any of the ingredients prohibited by section three of Act No. 10, laws 1909, or which contain hydrogen peroxide, or peroxides, or perborates, or benzoate of soda, or benzoates, or any other substance deleterious to health: *Provided*, That carbonated beverages and still drinks may contain not in excess of one-tenth of 1 per cent of benzoate of soda or benzoates, provided the bottles or other containers are labeled, or, in the case of bulk drinks, suitable display cards are printed to show that the said drinks contain not in excess of one-tenth of 1 per cent of benzoate of soda or benzoates.

The secretary of agriculture is hereby authorized to adopt and issue rules and regulations for the proper enforcement of this act and for the protection

of the public health.

⁵ Supplement 59 to Public Health Reports, p. 408.

Sec. 7. Display cards printed and marked with the information required by section 6 of this act shall be prominently displayed on all stands, booths, or other places where any carbonated beverages or still drinks are sold from bulk. Such display cards shall be printed in letters not less than 2 inches long and three-fourths of an inch in width and shall bear the inscription: "artificially colored," "artificially colored," "artificially colored," "artificially colored and flavored," or "imitation," as the case may be.

Sec. 21. The provisions of this act with respect to registration shall not

Sec. 21. The provisions of this act with respect to registration shall not apply to drinks sold or dispensed from soda fountains nor to social, fraternal, charitable, educational, religious, or beneficial organizations. This act shall take

effect 60 days after its approval.

Drugs—When Deemed Adulterated and Misbranded. (No. 292, Act April 27, 1927)

[This act amends sections 3 and 4 (both as amended by act No. 196, laws of 1917) of act No. 263, laws of 1909, to read as follows:]

SEC. 3. That for the purpose of this act an article shall be deemed to be

adulterated:

First. If [, when] a drug is sold under or by any name recognized by the tenth revision of the Pharmacopæia of the United States, the fifth edition of the National Formulary, or the American Homeopathic Pharmacopæia, it differs from the standard of strength, quality, or purity as determined by the test or formula laid down in the tenth revision of the Pharmacopæia of the United States, the fifth edition of the National Formulary, or the American Homeopathic Pharmacopæia: Provided, That no drug defined in the tenth revision of the Pharmacopæia of the United States, the fifth edition of the National Formulary;[,] or the American Homeopathic Pharmacopæia, except official preparations of opium, iodine, peppermint, camphor, ginger, and ethyl nitrit, shall be deemed to be adulterated, under this provision, if the standard of strength, quality, or purity be plainly stated, in juxtaposition with the official standard of strength, quality, and purity, upon the bottle, box, or other container thereof, although the standard may differ from that determined by the test or formula laid down by the tenth revision of the Pharmacopæia of the United States, the fifth edition of the National Formulary, or the American Homeopathic Pharmacopæia.

Second. If the strength or purity fall below the professed standard or quality

under which it is sold.

SEC. 4. That for the purpose of this act an article shall be deemed to be misbranded:

First. All drugs the package or label of which shall bear any statement, design, or device regarding such article or the ingredients or substance or substances contained therein, [which] shall be false or misleading in any particular. Second. If it be an imitation of or offered for sale under the name of another

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Third. If the contents of the package as originally put up shall have been removed, in whole or in part thereof, and other contents shall have been placed in such package; or if the package fail to bear statement on the label of the presence of any alcohol, morphine, opium, heroin, cocaine, alpha or beta eucaine, chloroform, cannabis indica, chloral hydrate, acetanilide, phenacetine, antipyrine, or any derivative or any preparation of any substances, contained therein: Provided, That nothing in this paragraph apply to the filling of written prescriptions furnished by practicing physicians, dentists, and veterinarians, and kept on file by pharmacists; or as to such preparations as are specified and recognized by the tenth revision of the Pharmacopæia of the United States, the fifth edition of the National Formulary, and the American Homeopathic Pharmacopæia, which are made in accordance therewith and are sold under titles designated therein.

Fourth. If its package or label shall bear or contain any statement, design, or device regarding the curative or therapeutic effect of such article, or any of the ingredients or substances contained therein, which is false or fraudulent.

Supplement 37 to Public Health Reports, p. 449.

Births and Deaths-Fees of Local Registrars for Registration of. (No. 434, Act May 7, 1927)

[This act amends section 20 (as amended by act No. 105, laws of 1921) of

Act No. 402,8 laws of 1915, to read as follows:]

SEC. 20. That each registrar shall be entitled to be paid the sum of 50 cents for each birth or death certificate properly and completely made out and registered with him and correctly copied and duly returned by him to the State registrar, as required by this act: Provided, That in cities of the first and second class the expense of birth and death registration shall be paid from funds appropriated to the department of health, in such manner as other payments are made for general purposes; and, in case no births or deaths were registered during any month, the local registrar shall be entitled to be paid the sum of 50 cents for each report to that effect promptly made in accordance with this act. All amounts payable to registrars, except in cities of the first and second class, as provided in this section, shall be paid by the treasurerof the county in which the registration districts are located, upon certification by the State registrar, and the State registrar shall annually certify to the treasurers of the several counties the number of births and deaths registered, with the names of the local registrars, and the amount due each at the rates fixed herein.

Birth, Death, and Marriage Records—Certified Copies. (No. 324, Act April 28, 1927)

[This act amends section 21 of act No. 402, laws of 1915, to read as follows:] Sec. 21. That the State registrar shall, upon request, furnish any applicant a certified copy of the record of any birth, death, or marriage registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents to be paid by the applicant; and any such copy of the record of a birth, or death, or marriage, when properly cert fied by the State registrar to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated: Provided. That certified copies of the record of any birth, death, or marriage shall be furnished to honorably discharged soliders, sailors, marines, war nurses, and their dependents, without the payment of any fee. For any such search of the files and records, when no certified copy is made, the State registrar shall be entitled to a fee of 50 cents for each hour or fractional hour of time of search to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions and turn the same over to the State treasurer.

Dead Bodies—Interment, Disinterment, and Transportation—Funerals. (Reg. Dept. of H., November 16, 1927)

1. Depth of graves.-Except by special permission from the department of health no interment of any human body shall be made in any public or private burial ground unless the distance from all parts of the top of the box containing the coffin or casket be at least 5 feet from the natural surface of the ground, except where solid rock or water may be encountered; then the distance from the top of the box, containing the coffin or casket shall be not less than 4 feet from the natural surface of the ground; and with the further exception that stillborn children and children less than 4 years of age, dead of any disease other than anthrax, cholera, diphtheria, leprosy, smallpox, scarlet fever, tetanus, typhoid fever, typhus fever, or yellow fever, shall be buried at such a depth that the top of the box containing the coffin or casket be not less than 31/2 feet from the natural surface of the ground.

2. Permanent vaults; receiving vaults.—No human body shall be placed in any unsealed overground vault, catacomb, or other receptacle above ground or in any underground vault, except such as are fitted with a stone covering to be tightly cemented after each interment, unless the coffin or casket containing the remains shall be first permanently and hermetically sealed in a metal case: Provided, That receiving vaults may be used for the reception of the

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Supplement 45 to Public Health Reports, p. 496.
 Reprint 338 from Public Health Reports, p. 456.
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bodies for a period not exceeding 30 days, beyond which special permission of the department of health is required, and in ever case the death certificate must

be filed immediately after death.

3. Preparation of bodies dead of certain diseases.—In the preparation for burial of the body of any person who has died of Asiatic cholera, bubonic plague, smallpox, yellow fever, typhus fever, relapsing fever, or leprosy it shall be the duty of the undertaker or person acting as such to thoroughly disinfect by arterial and cavity injection with an approved disinfectant fluid and wash the surface of the body with an efficient germicidal solution and place such body within the coffin or casket in which it is to be buried within six hours after being first called upon to take charge of the same: Provided, Said call is made between the hours of 5 a.m. and 11 p.m.; otherwise such body shall be placed in such coffin or casket within 12 hours; the coffin or casket then to be closed tightly, and not again opened unless permission be granted by the health authorities for special and satisfactory cause shown. The transportation of such bodies except by hearse or undertaker's wagon is positively forbidden.

4. Preparation of bodies dead of diphtheria, scarlet fever, epidemic cerebrospinal meningitis, etc.—The body of any person who has died of any of the diseases mentioned in the immediately preceding paragraph or of scarlet fever, diphtheria, or epidemic cerebrospinal meningitis shall not remain unburied for a longer period of time than 36 hours after death, unless special permission be granted by the health authorities extending the time during which said body shall remain unburied for special and satisfactory cause shown.

The transportation of such bodies, except by hearse or undertaker's wagon, is positively forbidden, except that bodies dead of the diseases enumerated in this rule may be transported by a public conveyance or common carrier when

prepared in the following manner:

The bodies shall be thoroughly disinfected by arterial and cavity injection with an approved disinfectant fluid and the surface washed with an efficient germicidal solution and be encased in a metal or metal-lined coffin or casket and be hermetically sealed, or if any ordinary coffin or casket be used the outside case inclosing the same must be metal or metal-lined and hermetically sealed. The undertaker or person acting as such shall be responsible for any violation of the provisions of this section, provided the body may be placed in a coffin or casket fitted with a glass top hermetically sealed.

5. Private funeral.—All services held in connection with the funeral of the body of a person who has died of any of the diseases mentioned or comprehended in the preceding paragraphs, and measles, mumps, German measles, whooping cough, chicken pox, and acute enterior poliomyelitis shall be private and the attendance thereat shall include only the immediate adult relatives of the deceased who may not at the time be under absolute quarantine restrictions, and the necessary number of pallbearers, and any advertisement of such

funeral shall state the cause of death.

6. Body not to be taken into public building.—The body of any person who has died of any of the diseases mentioned or comprehended in paragraphs 3, 4, and 5 shall in no instance be taken into any church, chapel, public hall, or public building for the holding of funeral services. The undertaker or person acting as such and the sexton, janitor, or other person having control of such church, chapel, public hall, or public building shall be responsible for any

violation of the provisions of this section.

7. Conveyance at funeral.—No undertaker or person acting as such as the funeral or burial of the body of a person who has died of any of the diseases mentioned in paragraphs 3, 4, and 5 shall furnish or provide for such funeral or burial more than the necessary number of conveyances for such adult relatives as are mentioned in paragraph 5 and pallbearers, and all such conveyances shall be disinfected at such time and in such manner as may be directed and required by the health authorities; nor shall such body be conveyed from any dwelling or other building or place to any cemetery, or other point or place, except in a hearse or other vehicle used for the purpose of conveying corpses only, or in such vehicles as shall be satisfactory to the health authorities and under such regulations as they may in any case adopt.

8. Shipment of bodies dead of noncontagious diseases.—The body of any person dead of a noncontagious disease shall not be removed from the registration district in which death occurred by public conveyance or common car-

rier except under the following conditions:

First. When the remains have been thoroughly embalmed and disinfected or when shipped to such a point as can be reached within 24 hours after death,

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they shall be placed in a casket or coffin and the said casket or coffin shall be encased in a strong outer box made of good sound lumber not less than seven-eighths of an inch thick; all joints must be plowed, grooved, or glued, top and bottom put on with cleats and cross-pieces or put together with screws, to be tightly closed with white lead, asphalt, varnish, or paraffin paint, and a rubber band placed on the upper edges between the lid and the box, and strong handles must be placed on each end and side of said box. Second. When the bodies are not embalmed or the destination can not be reached within 24 hours after death the coffin, casket, or outside case must be metal or metal lined and hermetically sealed.

9. Undertaker's affidavit.—The undertaker will be held responsible for the execution of the foregoing rules and must present an affidavit as to the facts to the local registrar of the district in which death occurred on the official forms prepared for this purpose before receiving a removal permit for said

body.

10. Transfers of bodies in transit.—When it may become necessary to transfer dead bodies in transit from one railway train to another, or from one railroad station to another, or from railroad station to ferry, the affidavit of undertaker and permit of the local registrar accompanying the remains from point of original shipment shall in all cases be sufficient authority for such transfer.

11. Disinterments.—No dead body shall be removed from its place of original

interment except under the following conditions:

No dead body shall be disinterred except a permit for the same be issued by the local registrar of the district in which the disinterment is made. The fee for such permit shall be 50 cents, to be paid to the local registrar by the person making the application, who shall present to the local registrar the correct name, date of death, and cause of death for the body to be disinterred.

Disinterment permits shall be delivered to the sexton or other person in charge of burial grounds in which the disinterments are to be made and be by

him returned to the local registrar on Saturday of each week.

All disinterment permits shall be void after the expiration of 72 hours from the date of issue, and no disinterment shall be made between sunset and sunrise.

The transportation by public conveyance or common carrier of any disinterred body is positively forbidden except the coffin or casket containing the same be metal or metal lined and hermetically sealed or the outside case con-

taining the same be metal lined and hermetically sealed.

No disinterment of any body dead of smallpox, anthrax, Asiatic cholera, relapsing fever, yellow fever, epidemic cerebrospinal meningitis or cerebrospinal fever, scarlet fever, diphtheria, or membranous croup shall be made within one year from the date of the original burial of the same without the special permission of the department of health, and the graves containing the bodies dead of the above-named diseases shall not be opened for any purpose within one year from the date of original burial without the special permission of the department of health.

The remains of any dead body shall not be exposed to view after disinter-

ment without the special permission of the department of health.

An affidavit as to the facts in the case must be presented by the undertaker in charge to the local registrar of the district in which the disinterment is made and from which the body is to be transported, who will issue a proper permit therefor, and no disinterred body shall be transported without such permit.

12. Undertaker renting rugs, etc., forbidden.—No undertaker or persons or persons acting in the capacity of undertaker or funeral director, or any other person, shall rent or temporarily furnish any carpet, rug, drapery, clothing, or artificial flowers at a funeral in any private house or of any person dead of tuberculosis, erysipelas, or any disease declared quarantinable by the department of health and the advisory health board.

Municipal Sewers—Connections with, by Adjacent First or Second Class Townships. (No. 268, Act April 27, 1927)

Section 1. That whenever any township of the first or second classes shall desire to connect with the existing sewer of any adjacent municipality, the two municipalities so joining may enter into an agreement for such purposes, or,

if no agreement has been reached between such township and the adjacent municipality, then such township shall proceed in the following manner:

An application shall be made by the board of commissioners or the board of supervisors, as the case may be, to the court of quarter sessions, setting forth the desire of the township to connect with the sewer of the municipality. If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer, it shall appoint three viewers, who shall view the premises, and investigate the facts of the case, and shall assess the proportionate part of the expense of building the original sewer upon the petitioning township, and shall fix the proportion of the expense for repairs which the municipality and such township shall thereafter bear, and determine all other questions which are likely to arise in connection therewith.

all other questions which are likely to arise in connection therewith.

SEC. 2. The viewers shall report to the court the result of their investigation, which report shall be confirmed within 30 days, unless exceptions thereto are filed. After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter

sessions to the superior court.

Sec. 3. No sewer, system of sewers, or drain shall be constructed under the provisions hereof, unless a resolution of the board of commissioners or board of supervisors authorizing the same shall be published in a newspaper of general circulation published in the county in which the township is situated once a week for three successive weeks. If within 20 days after the last publication, or at any time during the period of publication, taxpayers of the township whose property valuation is [as?] assessed for taxable purposes within the township shall amount to 50 per cent of the total property valuation as assessed for taxable purposes within the township shall sign and file in the office of the prothonotary of the court of common pleas of the county in which the township is located a written protest against the construction of such sewer, sewer system, or drain, then the construction authorized by such resolution shall not be undertaken or proceeded with.

Privately Owned Sewers—Acquisition by First-Class Townships. (No. 459, Act May 11, 1927)

[This act adds the following section to act No. 319, laws of 1917:]

Sec. 1086. Any township of the first class in which any person, firm, or corporation is maintaining sewers and culverts, with the necessary inlet and appliances for surface and under-surface and sewage drainage, may become the owner of such sewers, culverts, inlet, and appliances by paying therefor the

actual value of the same at the time of the taking by the township.

In case the commissioners of the township can not agree with the owners of such sewers as to the price to be paid therefor, the commissioners may enter upon and take possession of such sewers, culverts, inlets, and appliances. For all damage done or suffered, or which accrues to the owner or owners of such sewer by reason of the taking of the same, the funds of the township, raised by taxation, shall be pledged and deemed as security, such damages to be determined by viewers in the same manner as damages for the construction of sewers are determined in townships of the first class, under the provisions of sections 174 to 177, inclusive, of the act to which this is an amendment. If any sewer or sewer system is acquired by purchase, under the provisions of this section, the cost of such acquisition may be distributed or assessed in the same manner as if such sewer or sewer system had been constructed by such township under the provisions of this act.

Housing Ordinances—Enactment by Municipalities Authorized. (No. 457, Act May 11, 1927)

Section 1. That in addition to other remedies provided by law, and in order to promote the public health, safety, morals, and the general welfare, all cities, incorporated towns, boroughs, and townships of the first class in this Commonwealth are hereby authorized and empowered to enact and enforce suitable ordinances to govern and regulate the construction, alteration, repairs, occupation, maintenance, sanitation, lighting, ventilation, water supply, toilet facilities, drainage, use and inspection of all buildings or parts of buildings constructed, erected, altered, designed, or used in whole or in part for human habitation, and of the sanitation and inspection of land appurtenant thereto; and the said ordinances may provide proper penalties, not exceeding \$500, for the violation of their provisions.

SEC. 2. In case any building or structure is constructed, reconstructed, altered, repaired, converted, or maintained, or any building or land is used, in violation of any ordinance enacted under authority conferred hereby, the corporate authorities of the city, incorporated town, borough, or township of the first class, in addition to the penalties provided by ordinances enacted herewith, may institute appropriate actions or proceedings at law or in equity to prevent and restrain such unlawful construction, reconstruction, alteration, repairs, conversion, maintenance, or use, and to restrain, correct, or abate such violation and to prevent the occupancy of said building or structure.

Sec. 3. The ordinances enacted pursuant to this act shall not be inconsistent with the provisions of any statute governing the same matter; but all regulations prescribed by such ordinances, which are additional or supplementary to the statute law and not inconsistent therewith, or enacted for the purpose of carrying into effect the provision of the statute law, shall be valid and binding.

Nuisances in Private Alleys in Third-Class Cities—Abatement. (No. 116, Act April 7, 1927)

SECTION 1. That in cities of the third class the board of health is hereby empowered to abate nuisances upon private alleys, now existing or hereafter to be laid out, upon the neglect or refusal of the owners of the properties having the use of said alleys to abate said nuisance within 10 days after service

of notice upon the owners so to do.

SEC. 2. Where the said nuisance is caused by the improper grading or defective paving of the said alleys, upon the neglect or refusal of the said owners to grade, pave, or repave the said alleys within 10 days after service of notice so to do the said board of health is hereby empowered to certify the matter to the city council, and the council may thereupon, in the manner provided by law for public streets, proceed to grade, pave, or repave, the said alleys in accordance with the grades established by the city. The said board of health is hereby empowered to charge the cost and expense of abating the said nuisances, and the city is empowered to charge the cost and expense of the grading, paving, or repaving of the said alleys, upon the said owners in their proper proportions, and upon failure to pay the said charges to file liens therefor in the manner provided and according to the practice prescribed by law with respect to municipal claims.

Gypsies—May Be Ordered By Local Board of Health to Leave Municipality When Found to Be a Nuisance or a Menace to Public Health. (No. 114, Act April 7, 1927)

Section 1. That whenever a roving band or band of nomads, commonly called gypsies, shall be located within any municipality, or shall carry on its business or practice its craft within such municipality, and the board of health of the municipality shall be of the opinion, and so find, that such band is a nuisance or a menace to the public health, it shall have power, by written notice, to order such roving band or band of nomads to leave said municipality within the time specified in said notice. It shall be unlawful for any such roving band or band of nomads, or any member thereof, to fail or to refuse to comply with any such order of a board of health. Any person failing to comply with any such order shall upon conviction thereof in a summary proceeding, before any magistrate, alderman, or justice of the peace, be sentenced, for each offense, to pay a fine of \$50, and in default of the payment of such fine and costs be sentenced to undergo imprisonment in the county jail for a period of 30 days.

Borough Law—Provisions Regarding Public Health Powers of Boroughs; Vacation of Alleys, etc., Declared Nuisances; Sewers; Water Supplies; Garbage Disposal Plants; and Sewage Disposal Plants. (No. 336, Act May 4, 1927)

SECTION 1. That the law for the government and regulation of boroughs is hereby revised, amended, and consolidated as follows:

ARTICLE I. PRELIMINARY PROVISIONS-SHORT TITLE

SEC. 101. That this act shall be known and may be cited as "The general borough act."

Sec. 102. Excluded provisions.—This act does not include any provisions and shall not be construed to repeal any acts, relating to:

(f) Boards of health.

SEC. 106. Boroughs to which act applies.—This act shall apply to all boroughs incorporated under general law and to all boroughs incorporated under special law which have accepted the provisions of the act of April 3, 1851, entitled "An act regulating boroughs," and also to all boroughs incorporated since April 3, 1851, by special act of assembly which by the act of incorporation have been given the general powers of boroughs incorporated under the general law, and also to all boroughs incorporated under or which have accepted the provisions of the act approved the 14th day of May, 1915 (pamphlet laws, 312), entitled "An act providing a system of government for boroughs, and revising, amending, and consolidating the law relating to boroughs." This act shall not annul or repeal any local or special act in force at the date of the passage of this act, or any provision thereof, nor shall this act repeal any act so far as any such act applies to, or may have heretofore applied to, any boroughs incorporated under special acts of assembly and to which boroughs, as limited by the provisions of this section, this act does not apply.

The provisions of this act, in so far as similar provisions of the said act approved the 14th day of May, 1915 (pamphlet laws, 312), were extended to boroughs acting under local laws, shall apply to such boroughs incorporated

under local laws.

ARTICLE XII. CORPORATE POWERS

SEC. 1202. Specific powers.—The powers of the borough shall be vested in

the corporate officers. They shall have power:

I. Street, sewer, building, etc., regulations.—To regulate the roads, streets, lanes, alleys, common sewers, public squares, common grounds, footwalks, gutters, culverts, and drains, and the heights, grades, widths, slopes, and forms thereof, and to prohibit the erection or construction of any building or other obstruction to the convenient use of the same.

III. Water supply.—To provide a supply of water for the use of the inhabitants, and to make regulations for the protection of the pipes, reservoirs, and other constructions or apparatus, and to prevent the waste of water so supplied.

VI. Comfort stations.—To construct and maintain, in any of the highways within the borough limits, comfort and waiting stations and drinking fountains. The damages accruing to abutting properties by reason of any such improvements shall be ascertained and collected in the manner provided in article 14 of this act.

VIII. Nuisances .- To prohibit and remove any obstruction or nuisance in

the highways of the borough.

IX. Nuisances and dangerous structures.—To prohibit and remove any nuisance or dangerous structure on public or private grounds or ot require the removal of the same by the owner or occupier of such grounds, in default of which the borough may cause the same to be done and collect the cost thereof, together with a penalty of 20 per cent of such cost, in the manner provided by law for the collection of municipal claims or by action of assumpsit.

X. Hogs.—To prohibit the keeping of hogs within the borough or within any part of the borough.

XI. Cesspool and drain regulations.—To make regulations respecting vaults, cesspools, and drains.

XII. Manure and compost regulations.—To make regulations relative to the

accumulation of manure, compost, and the like.

XIII. Garbage and rubbish.—To prohibit accumulations of garbage or rubbish upon private properties and to prescribe penalties for the enforcement thereof.

XIV. Removal of garbage, etc.—To make regulations for the care and removal of garbage and other refuse material, including the imposition and collection of reasonable fees and charges therefor, and to prescribe fines and penalties for the violation of such regulations.

XV. Garbage plants.—To erect, maintain, and operate garbage plants or to provide other means for the collection, destruction, or removal of garbage and other refuse material and to provide for the payment of the cost or expense

thereof, either in whole or in part, out of the funds of the borough.

XVI. Noxious and offensive businesses.—To prohibit, within the borough, the carrying on of any manufacture, art, trade, or business which may be noxious or offensive to the inhabitants.

XVII. Health and cleanliness regulations.—To make such other regulations as may be necessary for the health and cleanliness and the beauty, convenience, comfort, and safety of the borough.

XXVII. Markets and market houses.—To regulate markets and peddling, whether for individual use or for resale, and to provide for the inspection of milk; and to purchase and own ground for and to erect, establish, and maintain market houses and market places, for which latter purposes, parts of any streets or sidewalks may be temporarily used; to contract with any person or persons, or association of persons, companies, or corporations, for the erection, maintenance, and regulation of market houses and market places, on such terms and conditions, and in such manner, as the council may prescribe; to provide and enforce suitable regulations of said market houses and market places and to provide for the payment of the cost or expense thereof, either in whole or in part, out of the funds of the borough; and to levy and collect a suitable license tax from every person or persons who may be authorized by council to occupy any portion of said market houses or market places, or any portion of the streets or sidewalks for temporary market purposes.

XXXII. Dogs.—To prohibit or regulate the running at large of dogs and in the enforcement of such regulations to direct the killing of dogs or their seizure and sale for the benefit of the borough.

XXXIII. Animals.—To prohibit and regulate the running at large of other animals, and to authorize their seizure and sale for the benefit of the borough.

ABTICLE XVI. LOCATING, OPENING, WIDENING, EXTENDING, STRAIGHTENING, AND VACATING STREETS

(F) VACATION OF LANES AND ALLEYS DECLARED NUISANCES BY BOARD OF HEALTH

Sec. 1650. Petitions to vacate nuisances.—Whenever the board of health of the borough shall declare as a nuisance any public alley, lane, or passageway, any two or more owners of property adjacent or abutting upon the same may present their petition, verified by oath or affirmation, to the court of quarter sessions, setting forth the facts regarding such nuisance and praying that said alley, lane, or passageway may be vacated. Such petition shall be accompanied by a certificate of the board of health, setting forth that they have declared such alley, lane, or passageway to be a public nuisance.

Sec. 1651. Jury of view.—The court shall thereupon appoint a jury of view of three men of the county. The jury, being sworn or affirmed to faithfully perform its duties, shall give notice to all parties likely to be affected by the proceedings, of the time and place of the first meeting, in such manner as the

court shall direct.

Sec. 1652. Hearings and report.—After the first meeting the jury shall proceed to view the premises, hear all parties interested and their witnesses, and shall prepare a report of finding and recommendations as to whether or not such alley, lane, or passageway, or part thereof, should be vacated, and in such report shall award damages and assess benefits to the property affected.

Sec. 1653. Notice of filing report.—The jury shall give notice, in writing, to all parties affected by their report at least 10 days before the same is filed in court. The notice shall state the time and place where such report will be open to inspection.

SEC. 1654. Exceptions to report.—Any person aggrieved by such report may file exceptions thereto with the jury, whereupon the jury shall reconsider their report, with the exceptions, and change the same as justice may require. The report as finally prepared shall be filed in court.

SEC. 1655. Appeals from report.—Any person affected by the report shall have an appeal to the court of common pleas, within 30 days after the report is filed, and the procedure on such appeal shall be the same as in actions of

trespass.

SEC. 1656. Confirmation of report.—At the end of the period allowed for an appeal, the report shall be absolutely confirmed by the court as to such awards

or assessments from which no appeals have been taken.

Sec. 1657. When vacation proceedings not to be had.—No alley, lane, or passageway shall be vacated in any case where the vacating deprives any lot abutting thereon of the sole means of ingress or egress, otherwise than to or from the front line thereof, nor where it was created by grant or contract and not theretofore accepted by the public.

ARTICLE XXI. SEWERS

(A) LAYING OUT AND ASSESSMENT ACCORDING TO BENEFITS

Sec. 2101. Power to lay out and ordain.—Boroughs may, with the consent and permit of the sanitary water board, lay out and ordain such common sewers and drains as may be necessary in any street or alley or through or over private

property.

Sec. 2102. Proceedings.—On petition viewers shall be appointed, as provided in article 14 of this act, who shall assess the damages, costs, and expenses of the sewer upon the property benefited, according to benefits, if sufficient can be found, but, if not, then the deficiency when finally ascertained shall be paid by the borough. The proceedings of the viewers and the proceedings on their report shall be as provided in article 14 of this act.

(B) SEWER SYSTEM AND ASSESSMENT ACCORDING TO FOOT-FRONT RULE

Sec. 2105. Ordinance to construct system.—Any borough may by ordinance adopt and construct such system of sewers as may be necessary for the disposal of sewage matter.

Sec. 2106. Places and manner of construction.—The borough shall fix the places along the streets, alleys, and courts where such sewer mains or drains and branches thereof shall be laid down and shall prescribe the manner in which they shall be constructed.

Sec. 2107. Permit from sanitary water board.—No contract for the construction of any such sewer system shall be entered into until a permit for the construction of the same shall have been obtained from the sanitary water board.

SEC. 2108. Assessments of cost.—Whenever any borough shall so determine to construct any sewer, it shall by ordinance assess the cost thereof as a sewage tax upon the property adjoining or adjacent to the same, either by the footfront rule or in such other manner as to the burgess and town council may seem equitable, which assessment, duly certified under the seal of the borough, attested by the burgess or the president of council and secretary, shall be collectible from the owner of such property.

Such certificate of assessment shall be prima facie evidence in any suit for the recovery of the same of the correctness and validity of such assessment.

Sec. 2109. Collection of assessments.—If the owners of property against which assessment for sewage tax have been made shall refuse to pay such assessment within 30 days after notice of the same, it shall be the duty of the borough solicitor to collect the same, with interest from the time of completion of the improvement, by action of assumpsit or by lien to be filed and collected in the same manner as municipal claims. When an owner has two or more lots against which there is an assessment for the same improvement, all of such lots may be embraced in one claim.

SEC. 2110. Regulations of borough.—The borough may enforce by penalties such regulations as it may ordain with reference to the use and maintenance of

such sewage system.

Sec. 2111. Extensions beyond borough limits; eminent domain.—The borough may extend the necessary sewer mains and outlets beyond the limits of such

borough to a point where such sewage is to be disposed, and shall have power to enter upon and condemn such lands, property, and materials for the construction of all such sewer mains, outlets, and works as may be necessary for

the disposal of such sewage.

Sec. 2112. Notice of certain ordinances.—No ordinance for any such construction beyond the limits of the borough or any works connected therewith shall be adopted until notice thereof has been given by publication of the proposed ordinance for at least four weeks in one newspaper published in the borough or county, and also by serving copies of such proposed ordinance upon all land-owners through whose land such sewer is to pass at least 10 days before final action thereon.

SEC. 2113. Security for damages; assessments.—Before entry shall be made upon private property without the owner's consent for the purpose of laying any such sewer or outlet or constructing any such works security for all damages which may be done shall first be given to such owner in such form and in such amount as the court of common pleas of the county may direct. All damages caused by the construction of any such sewer or works or by the taking of lands and materials therefor shall be ascertained in the manner provided in article 14 of th's act for property taken, injured, or destroyed and shall be paid out of the borough treasury.

(C) CONSTRUCTION OF SEWERS OUTSIDE CARTWAY AND CURB LINES

Sec. 2115. Power to construct.—Boroughs are hereby authorized to require and permit sanitary sewers and sewer pipes to be laid and constructed outside the cartway and the curb lines thereof in any street or highway.

The said sewers shall be for the service and use of the property abutting

thereon on the side of the street or highway in which they are laid.

Sec. 2116. Collection of costs and expenses.—The costs and expenses of any sewer laid and constructed as aforesaid may be assessed against the abutting property in front of which the same is laid, and such costs and expenses when so assessed shall be assessed and collected in the way and manner as the costs and expenses of other sewers are assessed and collected in the respective borough in which the same are laid.

(D) JOINT SEWERS

Sec. 2120. Agreements for joint sewers.—Boroughs may enter into agreements with municipal ties or townships for the purpose of building sewers, including trunk-line sewers or drains and sewage-treatment works. Such agreement shall provide for the joint maintenance of the same.

SEC. 2121. Approval of sanitary water board.—No such sewer or plant shall be constructed until plans and specifications have been submitted to the sanitary water board and approved in accordance with provisions of the act of assembly

providing for such approval.

Sec. 2122. Connections with sewers of adjacent municipalities.—Any borough may connect with an existing sewer owned by any adjacent municipality for sewage purposes in the manner prescribed in the following sections of this

subdivision of this article.

Sec. 2123. Applications to court.—Whenever any borough shall desire to connect with the existing sewer of any adjacent municipality, and no agreement has been reached between such borough and the adjacent municipality, an application shall be made by council to the court of quarter sessions of the county,

setting forth that fact.

SEC. 2124. Appointment of viewers.—If the court shall be of the opinion that such connection can be made without impairing the usefulness of the existing sewer it shall appoint three viewers, who shall view the premises and investigate the facts of the case, and shall assess the proportionate part of the expense of building the original sewer upon such borough and shall fix the proportion of the expense for repairs which each municipality shall thereafter bear and determine all other questions liable to arise in connection therewith.

Sec. 2125. Report of viewers; appeals to court.—The viewers shall report to the court the result of their investigation, which report shall be confirmed within 30 days unless exceptions thereto be filed. After confirmation of such report or the disposal of any exceptions any party interested may appeal from the decision of the court of quarter sessions to the supreme or superior court.

(E) POWER TO SUPPLY SEWAGE SERVICE OUTSIDE BOROUGH LIMITS

Sec. 2130. Power to supply service.—Whenever any borough is maintaining and operating a sewerage system and sewage purification or treatment works it shall be lawful for such borough to supply sewerage service to municipalities, persons, and corporations, outside the limits of such borough and to enter into contracts for such service at rates not less than those required to be paid by persons and corporations within the limits of such borough, but no such privilege shall conflict with the rights of any sewer company or the rights of any other borough.

SEC. 2131. Power to extend lines and condemn property.—For the purpose of supplying such sewerage facilities any such borough may extend the necessary sewer mains and p.pes beyond the limits of such borough, to the points where such sewerage is to be collected and received and shall have the power to enter upon and condemn such lands, property, and materials for the construction of such sewer mains, and pipes, as may be necessary to the furnishing of such sewerage service.

SEC. 2132. Procedure; assessment of damages.—Before entry shall be made upon private property without the owner's consent for the purpose of laying any such sewer mains or pipes or constructing such sewer-collection system outside of the limits of the borough, security for all damages which may be done shall be first given to such owner, in such form and in such amount as the court of common pleas of the county may direct, and all damages caused by the construction or laying of such sewer mains or pipes or by the taking of lands and materials therefor shall be ascertained in the manner provided in article 14 of this act.

(F) ACQUISITION OF SEWER SYSTEMS

Sec. 2135. Power to acquire sever systems.—Any borough in which any person, firm, or corporation is maintaining sewers and culverts, with the necessary inlets and appliances for surface, undersurface, and sewage drainage may become the owner of such sewers, culverts, inlets, and appliances by paying therefor the actual value of the same at the time of the taking by the borough.

SEC. 2136. Assessment of damages.—In case of disagreement the amount to be paid shall be ascertained in the same manner as damages are ascertained under art cle 14 of this act. In the same proceeding the viewers shall assess the costs and expenses of the sewer, culverts, inlets, and appliances acquired by the borough upon the property benefited, according to benefits, if sufficient can be found; but if not, then the deficiency when ascertained shall be paid by the borough.

(G) COLLECTION BY INSTALLMENT OF COST OF BUILDING AND ACQUIRING SEWERS

Sec. 2140. Ordinance for installment payments; interest.—Whenever any borough shall by ordinance authorize the construction or acquisition of any sewer or system of sewers, and the entire cost or any part thereof shall be assessed against the properties abutting on such improvement, whether by the foot-front rule or according to benefits, the council may provide in such ordinance that the assessment may be paid in semiannual or annual installments. Such installments shall bear interest at a rate not exceeding 6 per cent from the date of the commencement of the work or the construction of such improvement.

SEC. 2141. Issue of bonds.—In order to provide for the payment of the costs and expense of any such improvement, the borough may from time to time issue bonds in such sums as may be required, in all to an amount not exceeding the amount of assessments. The bonds shall bear the name of the sewer and shall rest alone for their security and payment upon such assessments, and shall be payable at periods not exceeding five years from the date of their issue, to be provided in the ordinance directing the improvement.

SEC. 2142. Interest on bonds; sale.—The bonds shall bear interest at a rate not exceeding 6 per cent per annum, payable semiannually or annually, as the council in the ordinance shall direct, and shall be negotiated at not less than par, and the proceeds thereof applied solely to the payment of such improvement. In case the bonds are not negotiated by the council they may be delivered to the contractor in payment of the work, but when so delivered must be at not less than par.

Sec. 2143. Liens to secure assessments.—Liens to secure the assessments shall be entered in the prothonotary's office of the county, in the same form and collected in the same manner as municipal claims are filed and collected.

Sec. 2144. Payment of assessments.—Such assessments shall be payable at the office of the borough treasurer or such other place as the ordinance shall provide in semiannual or annual installments, with interest at the rate provided from the date from which interest is computed on the amount of the assessments. The moneys so received by the borough shall be applied to the payment of such bonds exclusively.

Sec. 2145. Default in payment.—In case of default in the payment of any installment and interest for a period of 60 days after the same shall become due, the entire assessment and accrued interest shall become due, and the solicitor shall proceed to collect the same under the general laws relating to

the collection of municipal claims.

Sec. 2146. Payments in advance; subdivisions of property.—Any owner of property against whom any such assessment has been made may pay the same in full at any time, with interest thereon to the next semiannual or annual payment, and such payment shall discharge the lien. If any owner shall subdivide any property after the lien attaches he may in like manner discharge the same upon any subdivided portion thereof by paying the amount for which such part would be liable.

SEC. 2147. Registry of bonds.—Whenever any borough shall issue any such bonds the treasurer of the borough shall keep a registry book in which the bonds shall be registered. Such registry shall show the date of the issue of the bond, the amount of the bond, and the name and address of the person, firm, or corporation to whom the same was issued, which shall also be noted on the

back of such bonds.

Sec. 2148. Transfer of bonds.—The bonds may be transferred at any time, and the treasurer shall make the proper entry of any such transfer in the registry book and on such bonds and shall file all assignments among the records of the borough. Payment of such bonds and interest thereon shall be made only to the last registered owner.

Sec. 2149. General powers not interfered with.—Nothing contained in this subdivision of this article shall prevent the construction of any sewer and the payment of the same by general taxation when the same is for the general

health and public welfare of any borough.

(H) SEWER CONNECTIONS

SEC. 2155. Ordinances to require sewer connections.—Any borough may by ordinance require any owner of property abutting on or adjoining any street or alley in which is a sewer to make connections with such sewer in such manner as the borough may order for the purpose of discharge of such drainage or waste matter as the borough may specify. The borough may by penalties enforce any regulation it may ordain with reference to any sewer connections.

Sec. 2156. Notice of ordinance; failure to comply with ordinance.—The owner shall be given 45 days' notice of any resolution or ordinance requiring such sewer connection, and upon failure to make such connection the borough may make the same and collect the cost thereof from the owner by a municipal claim or in an action of assumpsit. All connections required shall be uniform.

(I) UNLAWFUL TO BUILD WITHIN LINE OF SEWERS

Sec. 2160. It shall be unlawful for any person to erect any building or make any improvement within the lines of the sewers laid out or ordained to be laid out after due notice thereof; and if any such erection or improvement shall be made, no allowance shall be had therefor in the assessment of damages.

(J) OPENING SEWERS

Sec. 2165. If any borough shall lay out or ordain any sewer over or under private property located in whole or in part within the limits of such borough and proceedings to open the same and to assess the damage arising therefrom shall not be proceeded with by the borough within two years from the enactment of the ordinance, the whole proceeding shall be void.

(K) ASSESSMENT OF COST OF MAINTENANCE AND REPAIR

Sec. 2170. Ordinance for annual rental.—Whenever any borough has constructed any sewer or sewer system or has acquired wholly or partially the same at public expense the council of such borough may provide by ordinance for the collection of an annual rental or charge for the use of such sewer or sewer system from the owner of property served by it. The council may at its discretion in lieu of such annual rental or charge provide for the payment by such owner of a fixed sum.

Sec. 2171. How rental fixed.—Such annual rental shall not exceed the amount expended annually by the borough in the maintenance, repair, alteration, inspection, depreciation, or other expense in relation to such sewer or sewer system and may include any interest on money expended by the borough in the construction of the sewer or sewer system. The said annual or fixed sum shall be apportioned equitably among the several properties served by the said sewers.

Sec. 2172. Collection of rental.—Such annual rental or charge or such fixed sum shall be authorized and collected as provided by general ordinances, and when so levied and charged shall be a lien on the properties charged. The collection thereof shall be made and enforced in the manner municipal class are now or may hereafter be collected.

The councils of such borough shall execute a warrant or warrants authorizing the collection of such annual sewer rentals or charges or such fixed sum to the officer employed by council to collect the same. Such officer shall have the authority now vested by law for the collection of borough taxes.

Sec. 2173. Lien.—Such annual sewer rentals or charges or such fixed sum shall be a lien on the properties charged with the payment thereof from the date set forth in the ordinance; and if not paid after 30 days' notice, may be collected by an action of assumpsit in the name of the borough against the owner of the property charged or by distress of personal property on the premises or by a lien filed in the nature of a municipal lien.

ARTICLE XXIV. PUBLIC SERVICE

(A) WATER SUPPLY AND WATERWORKS

1. General powers to supply water:

SEC. 2401. Power to supply water.—Boroughs may provide a supply of water for the use of the public within such borough by erecting and operating waterworks, by purchasing and operating waterworks, by entering into contract with persons or corporations authorized to supply water within the limits of such borough, or partly by the erection or purchase and operation of waterworks, and partly by entering into a contract.

Sec. 2402. Contracts not to abridge powers.—No contract for the supply of water hereafter entered into by any borough with any person or corporation shall in anywise abridge the power of the borough to construct and operate waterworks as provided in the preceding section of this article, but such power shall remain in force as though such contract had not been made.

Sec. 2403. Issue of bonds where waterworks acquired.—Where the price and terms are agreed upon, a borough may become the owner of and operate any water system owned and operated by a corporation furnishing water within the acquiring borough and in adjacent townships or near-by boroughs and may pay therefor by obligations secured by liens on the property acquired and which shall be secured solely by such waterworks systems and property and the revenues thereof, and without any other liability on the part of such borough, which obligations shall be exempt from taxation for any purpose: Providea, That this section shall not apply where a duly organized water company is authorized to furnish and is furnishing, service in the adjacent townships or near-by boroughs, where the water company whose system is purchased under the provisions of this act had been furnishing service.

SEC. 2404. Vote of electors in special cases.—In all boroughs where authority is given to construct waterworks, and where the qualified voters are given the right to determine by vote the expediency of constructing such waterworks, and whenever the question of expediency has been submitted to a vote and has been determined in favor of such expediency and the construction of such works has not been commenced within four years after such election, it shall be unlawful thereafter to proceed with such construction until the expediency thereof has been determined by another election.

SEC. 2405. Rates in particular boroughs.—Whenever the schedule of water rates in any borough owning or controlling waterworks shall have been fixed or limited by general or special act of assembly the borough may change the rates or schedule of rates from time to time, so that the same shall not at any time exceed the rates now limited.

Sec. 2406. Contracts to supply water for fire protection.—Boroughs may receive bids from incorporated water companies authorized to do business within such borough for the supply of water for fire protection and for other

municipal purposes and may contract therefor with such company.

SEC. 2407. Power to supply water beyond limits of borough.—Whenever any borough is maintaining waterworks it shall be lawful for such borough to supply water for ordinary and domestic uses to persons and corporations outside the limits of such borough at rates not less than those required to be paid by persons and corporations within the limits of such borough, but no such privilege shall conflict with the corporate rights of any water company or the

rights of any other borough.

Sec. 2408. Assessment for water mains.—That boroughs in this Commonwealth shall have power to assess the whole cost or any part of the cost of construction of new water mains built in connection with the establishment or extension of a municipally owned water supply system and serving the properties abutting thereon against the properties abutting along the line thereof by the front-foot rule and to collect such assessments as other municipal claims are now by law collectible: Provided, That the assessment shall be rebated to the owner of the property assessed out of rates charged for water consumed in serving the property so assessed: And provided further, That the borough may issue negotiable credit memorandum to the amount of the assessment, which may be used for the payment of any water service to the extent of the said assessment.

2. Acquisition by eminent domain:

SEC. 2410. Appropriation of lands and waters.—Any borough desiring to erect waterworks or to improve its water supply may appropriate springs, streams, rivers, or creeks, and lands, easements, and rights of way within or without its limits and for the purpose of conducting water obtained outside the limits of the borough may lay pipes under and over any lands, rivers, streams, bridges, highways, and across railroads. No water appropriated under the provisions of the preceding section shall be used in such manner as to deprive the owner thereof of the free use and enjoyment of the same for domestic or farm purposes.

SEC. 2411. Agreements as to damages; bonds.—Prior to any such appropriation, the borough shall attempt to agree with the owner as to the damage done or likely to be done; and if the parties can not agree or the owner can not be found or is under legal incapacity, the borough shall file its bond in the court of common pleas, conditioned for the payment to the owner of the property of the damages for the taking thereof when the same shall have been ascertained. Upon the approval of the bond and filing thereof the borough may enter upon

such property.

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SEC. 2412. Appointment of viewers; proceedings.—Upon petition of either the property owner or borough at any time thereafter the court shall appoint three viewers from the county board of viewers, who shall assess the damages for the property or rights appropriated, and shall fix a time for their meeting, of which notice shall be given to all parties interested. The proceedings for the assessment of damages shall be as provided in article fourteen of this act.

3. Acquisition by purchase after appraisement:

Sec. 2415. Petition to court expressing desire to acquire waterworks.—Whenever any person, firm, or any corporation shall own any waterworks or system and a borough is desirous of owning and operating such waterworks or system such borough may present its petition to the court of common pleas of the county, setting forth that the borough is desirous of owning such waterworks or system and that it will be necessary to issue bonds, to be secured by such waterworks or system, and that a value should be placed upon such waterworks or system, including all property, real and personal, used in connection therewith.

Sec. 2416. Appointment of engineers as appraisers to make valuation.—The court shall thereupon appoint three civil engineers as appraisers to value and appraise such waterworks or system and the property used in connection there-

with and the contracts or agreements with municipalities or townships, who shall file their report in the court within three months after their appointment,

unless such time be extended by the court.

Sec. 2417. Powers of appraisers.—The appraisers shall have access to the books and records of the person, firm, or corporation owning such waterworks or system to inform themselves as to the income and value thereof. They shall have power to administer oaths, and are authorized to take the testimony of

witnesses. Their report shall be final if not appealed from,

Sec. 2418. Appeal from appraisement.—Within 10 days after notice of the filing of any report either party may appeal from such appraisement, alleging an undervaluation or overvaluation of the property and praying for a hearing before the court. The court shall thereupon fix a time when such appeal may be heard, of which time at least 10 days' notice shall be given to the parties, and upon such hearing the court shall have power to modify such report, and either party may appeal from the final confirmation of such report to the

superior or supreme court.

Sec. 2419. Effect of failure of owner of works to accept price fixed.—After the value is finally determined, the borough is authorized to buy such waterworks or system at the valuation so fixed, and the person, firm, or corporation owning the same shall, within 10 days after notice, file in court its consent to seil and convey its waterworks or system and property to the borough at the valuation fixed; and in default thereof such person, firm, or corporation shall cease to have any exclusive privilege of supplying the borough or the citizens thereof with water, and the borough may install such waterworks or system as may be necessary for the accommodation of the public.

Sec. 2420. Issue of bonds.—For the purpose of such purchase the borough may issue bonds, which shall be secured solely by such waterworks systems and property and the revenues thereof and without any other liability on the part

of such borough.

Sec. 2421. Limit of bond issue.—Such bonds shall not exceed in amount the value fixed by the appraisers or the court. The proceeds of the sale of such bonds shall be used exclusively for the purpose of paying for the property

acquired.

Sec. 2422. Redemption of bonds; interest.—The bonds shall be payable within 30 years from the date of their issue and shall be redeemable at such earlier periods as the borough may by ordinance provide and shall bear interest at a rate not exceeding 6 per cent per annum. The bonds shall be exempt from taxation for any purpose.

SEC. 2423. Sinking fund.—The borough shall provide a sinking fund for the revenues derived from such waterworks or system for the payment of the

interest on such bonds and for their redemption.

Sec. 2424. Terms of existing contracts to govern.—Should there be at the time of the passage of this act a contract or agreement in writing existing between any person, firm, or corporation, owning such waterworks or system and a borough, dated prior to May 31, 1907, establishing or fixing the manner in which such waterworks or system may be appraised and acquired, then the appraisement shall be made in accordance with the terms of such contract, and the respective parties to such contract shall, in lieu of the provisions of sections 2415 to 2419, inclusive, of this article, carry out the terms of such contract in arriving at the value of such waterworks or system.

4. Power to lease waterworks:

SEC. 2430. Lease of waterworks.—The council of any borough may, on behalf of such borough, enter into a contract with any private individual, copartnership, association, or corporation for the leasing of any water supply, works, systems, and property, or both of such private individual, copartnership, association, or corporation.

SEC. 2431. Term of lease; rental.—The said leasing may be for such term of years and at such rental, as shall be agreed upon by the borough and the

private individual, copartnership, association, or corporation.

Sec. 2432. Operation of property.—The property so acquired shall be operated in the same manner as if the same had been acquired by such borough by pur-

chase or condemnation proceedings.

SEC. 2433. Rates.—The council of the borough, with the consent of the publicservice commission, shall fix the rates to be charged for the water furnished within the limits of such borough to individuals, copartnerships, associations, or corporations. 5. Joint waterworks:

Sec. 2435. Joint acquisitions and constructions.—Two or more boroughs may unite or any borough may unite with a township in the construction or acquisi-

tion and maintenance of works for the supply of water.

Sec. 2436. Permit of sanitary water board.—The construction of waterworks, as provided for in the preceding section, shall be after plans for such waterworks have been flied with the State commissioner of health, and a permit issued in accordance with the act of assembly of April 22, 1905, page 260, entitled "An act to preserve the purity of the waters of the State for the protection of the public health."

6. Condemnation of lands for road purposes and to prevent contamination: Sec. 2440. Overflowing roads; acquisition of lands to reconstruct roads.—Whenever any borough in supplying water to the public shall find it necessary in storing water to occupy and overflow with water portions of any turnpike or public road, or whenever any public road leads into or crosses over any reservoir used for the storage of water, the borough shall cause such turnpike or road to be reconstructed at its own expense on a favorable location and in as perfect manner as the original road, and for such purposes is authorized to condemn land whenever an agreement as to the price can not be had with the owners.

SEC. 2441. Filing maps and plans.—After such change is made the borough shall file in the court of quarter sessions of the county a map or plan showing such change of road and shall furnish to the supervisors or other authorities

of the township or municipal corporation a copy of such map.

Sec. 2442. Condemnation of lands to prevent contamination.—Boroughs may acquire by purchase or condemnation such lands along and contiguous to the streams of water or reservoirs from which water is taken for public use as may be necessary to preserve the same from contamination.

Sec. 2443. Security for payment of damages.—No land shall be taken for the uses mentioned in this subdivision of this article, until compensation therefor shall have been paid or secured before such taking, injury, or destruction.

SEC. 2444. Condemnation proceedings.—The damages incurred in changing the location of any such turnpike or public road and in condemning land to preserve water from contamination shall be ascertained in the manner provided in article 14 of this act and shall be paid by the borough.

7. Commission of waterworks:

Sec. 2450. Commission may be established.—Whenever any borough owns and maintains waterworks there may be established in such borough a commission of waterworks, to be composed of three citizens of the borough, who

shall be known as commissioners of waterworks.

Sec. 2451. Application to court for appointment of commissioners.—Any borough desiring to avail itself of the provisions of this act, so far as it relates to a commission of waterworks, shall by resolution passed by the council and recorded in its minutes apply to the court of common pleas of the county for the appointment of commissioners of waterworks.

SEC. 2452. Terms of commissioners.—It shall be the duty of the court of common pleas upon application of any borough to appoint such commissioners of waterworks, one of whom shall be appointed to serve for one year, one for two years, and one for three years, and annually thereafter the court shall appoint one commissioner of waterworks to serve a term of three years. In case of a vacancy the court shall fill the same for the unexpired term.

Sec. 2453. Rescinding action.—After three years from the first appointment the borough may at any time recind the resolution asking for the appointment of a commission of waterworks. When such resolution shall be rescinded the court shell make no further appointment of commissions until a resolution shall again be passed by a council asking for such appointment.

Sec. 2454. Commissioners to receive expenses.—The commissioners of waterworks shall not receive any salary for the services, but shall be paid all moneys

necessarily expended in the performance of their duty.

Sec. 2455. Organization of commissioners.—It shall be the duty of the commissioners of waterworks to meet within 10 days after their first appointment and annually thereafter and organize by electing a president and secretary.

Sec. 2456. Powers of commission.—After organization the commissioners

SEC. 2456. Powers of commission.—After organization the commissioners shall take charge and control of the waterworks of such borough. The commissioner shall have power to appoint all necessary officers and agents and take from them such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents;

to provide for the repair, extension, improvement, and maintenance of such waterworks, and the erection of new waterworks; to collect water rents and to make and establish the rates and conditions upon which water will be furnished to applicants therefor; and to make by-laws and regulations for

the economic and efficient management of such waterworks.

SEC. 2457. Issue of bonds.—The borough may, upon the request of the commissioners of waterworks, issue bonds for the extension of the waterworks or the erection of new waterworks. Such bonds shall be designated "waterworks bonds" and shall be delivered to the commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued. Each such requisition shall be accompanied by a detailed statement of the work done and materials purchased. The bonds shall not be sold for less than par, and the proceeds thereof shall be applied to the purposes for which such bonds were issued.

SEC. 2458. Plans and specifications for the improvements; contracts.—The commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair, maintenance, and extension of such waterworks or the erection of new waterworks, and shall, after plans and specifications for the extension or the erection of waterworks have been submitted to and approved by the sanitary water board and a permit granted therefor by the board, invite proposals for the performing of such work and the furnishing of such materials, and shall let contracts therefor to the lowest responsible bidder, and shall take adequate security for the performance of

such contracts.

Sec. 2459. *Reports by commission.*—The commissioners shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of the waterworks, which shall be published by the council for the information of the

public.

SEC. 2460. Care of funds.—The commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer, who shall return a receipt therefor to the commissioners. All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing, maintaining, and extending such waterworks, the erection of new waterworks, or the payment of any indebtedness on said waterworks, and for no other purpose. No money shall be drawn from such fund except upon order countersigned by the president and secretary of the commission.

SEC. 2461. By-laws and regulations.—All by-laws and regulations not inconsistent with the laws of the Commonwealth, the rules and regulations of the sanitary water board or the water and power resources board, when made by the commissioners, shall have the force and effect of ordinance of such borough.

Sec. 2462. Government of joint works.—Whenever two or more boroughs or any borough and a township jointly construct and maintain waterworks and desire to avail themselves of the provisions of this act so far as it relates to a commission of waterworks, the councils of such boroughs may join with the commissioners or supervisors of such township, after ordinance duly passed, and apply to the court of common pleas of the county for the appointment of a commission of waterworks in accordance with this subdivision of this article. Such commission shall be composed of citizens of each of the boroughs and townships so uniting.

ARTICLE XXV. PUBLIC BUILDINGS AND WORKS

(B) GARBAGE AND TREATMENT WORKS

Sec. 2520. Power to purchase real estate.—Boroughs may purchase any real estate within or without the borough limits upon which to erect and maintain garbage or incinerating furnaces and sewage-treatment works, with the necessary filter beds, appliances, drains, and sewers.

Sec. 2521. Approval of site.—Boroughs desiring to locate any garbage or incinerating plant shall first apply to the court of common pleas for its approval of the location thereof, whereupon the court shall fix a date when objections to the location will be heard, and shall prescribe what notice of

such hearing shall be given. If at the time fixed for such hearing no objections shall be made to such location the same shall be approved; but if objection be made, then the court shall proceed to hear the matter and determine whether the location is a detriment to neighboring properties. The finding of the court shall be conclusive but shall in no way adjudicate any question relating to damages for injury to property.

SEC. 2522. Proceedings where owner unknown.—In case the borough can not agree with the owner of such property as to the price, or in case the owner is absent or incapacitated from any cause, or is unknown, by reason of which no agreement can be made, the borough may take and appropriate for any of such purposes any real estate after an ordinance shall have been passed pro-

viding for such taking and appropriating.

SEC. 2523. Permits.—No real estate shall be acquired, or contract for the construction of sewage-disposal works or plants or sewer or drains extending thereto, be entered into until a permit for the location and construction shall

have been obtained from the sanitary water board.

Sec. 2524. Bond of borough.—Where the borough and the owner can not agree as to the price to be paid, or where by reason of the legal incapacity of such owner, or where the owner is absent or unknown, no agreement as to the damages sustained can be made, the borough may tender its bond to the party entitled to damages, or to the agent of any person absent, or to the guardian or committee of any one under legal incapacity. The condition of the bond shall be that the borough will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed by viewers.

In case the party claiming damage refuses to accept the bonds so tendered, the borough shall give such party at least five days' written notice of a time when the same will be presented for filing in court. Thereafter the borough may present its bond to the court of common pleas or to any law judge thereof in vacation, and if approved, the bond shall be filed in court for the benefit of

those interested.

In case the title to the lands to be taken and approved be defective or disputed, or the party owning such real estate can not be served with a notice, or have a bond tendered as provided in the preceding section, the court of common pleas of the county or any law judge thereof in vacation, upon petition of the borough setting forth the necessary facts, shall direct the filing of a bond to the commonwealth in an amount to be fixed and apporved by the court for the benefit of those who may be found entitled to the damages. The condition of such bond shall be the same as provided in section 17 of this article.

Upon the firing and approval of any bond provided for by this article the borough shall have the right to enter upon and appropriate the lands mentioned in such bonds and the title acquired by virtue of such condemnation

shall be a fee simple title.

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Sec. 2525. Appointment of viewers.—In case the damages for such taking and appropriation have not been agreed upon, the court of common pleas or any law judge thereof in vacation, on application by petition of the borough or any person interested, shall appoint three viewers from the county board of viewers and appoint a time, not less than 20 nor more than 30 days thereafter, when

the viewers shall meet upon the premises and view the same.

Sec. 2526. Notices by viewers.—The viewers shall give 10 days' notice of such meeting to the owners of lands taken, if such owners reside within the county and can be found; and to the guardian of any minor, if such guardian resides within the county, and to the guardian or committee of any lunatic or person of unsound mind, if such notice can be served upon such guardian or committee; and in all cases where the owners are incapacitated or unknown, notice shall be given in two newspapers of general circulation printed in the borough or county, and the viewers shall give such other notice as the court shall direct, having regard to the circumstances of the case. Where minors have no guardians and lunatics or persons of unsound mind have no guardians or committee, the court shall appoint a guardian or committee ad litem and direct that all notices shall be served upon them.

Sec. 2527. Proceedings.—The proceedings before such viewers for the allowance of damages for property taken, injured, or destroyed and the proceed-

ings upon their report shall be as provided in article 14 of this act.

ARTICLE XXXIII. ACTS OF ASSEMBLY REPEALED; SAVING CLAUSE

[Section 3301 repeals many specific statutory provisions, and also provides as follows:]

All other acts or parts of acts of assembly supplied by, inconsistent with, or appertaining to the subject matter covered by this act are hereby repealed. It is the intention that this act shall furnish a complete and exclusive system for the government and regulation of boroughs, except as to the several matters enumerated in section 102 of article 1 of this act.

But nothing contained in this act shall be construed to repeal * * * the provisions of any law the enforcement of which is vested in the department of health or the sanitary water board * * *.

Certain Statutes Relating to Public Health Repealed. (No. 39. Act March 24, 1927; No. 132, Act April 7, 1927; No. 134, Act April 7, 1927; and No. 137, Act April 7, 1927)

[Act No. 39 repeals Act No. 112, laws of 1878; Act No. 132 repeals Act No. 183, laws of 1878; Act No. 134 repeals Act No. 186, laws of 1885; and Act No. 137 repeals Act No. 35, laws of 1883.]

Certain Regulations of State Department of Health Declared Void. (Res. Dept. of H., November 16, 1927)

Whereas a number of the rules and regulations of the Pennsylvania department of health have become obsolete and are of no further value in the health administration of this commonwealth; Therefore be it resolved that the following regulations by number and title be declared null and void.

Rules and regulations governing the reporting of communicable diseases.
 Comprising four sections. Approved October 5, 1905.

2. Rules and regulations to be observed by undertakers, sextons, and all other persons in charge of the preparation, interment, disinterment, or other disposition of dead bodies. Comprising 10 sections. Approved October 5, 1905, and amendment approved January 23, 1906.

3. Precautions to be observed by physicians, health officers, clergymen, and undertakers in visiting premises infected with smallpox. Approved January 23, 1906.

4. Rules and regulations governing the disinfection of school buildings, isolation of cases of contagious disease in certain schools, exclusion from school of certain persons suffering from contagious disease and others who have been exposed to them and the period of said exclusion. Approved January 23, 1906.

5. Additional rules and regulations governing the reporting of communicable diseases, establishing quarantine period for scarlet fever, and concerning the quarantining of certain communicable diseases. Approved July 25, 1907.

6. Regulations governing disinfection and private funerals following deaths from certain communicable diseases. Approved January 5, 1910.

Regulations concerning medical inspection in schools. Approved January 5, 1910.

8. Rules and regulations concerning public drinking cups and eating utensils, common towels, and barbers' brushes, and the making of certain diseases reportable. Comprising six sections. Approved January 3, 1913.

9. Regulations concerning medical inspection of employees in hotels, public eating places, etc. Comprising one section. Approved January 14, 1915.

10. Rules and regulations for the quarantine of infantile paralysis. Comprising six sections. Approved July 8, 1916, and the amendment August 12, 1916.

11. Regulations concerning control of venereal diseases. Comprising six sections. Approved June 21, 1918.

12. Rules and regulations bearing upon the construction of certain institutions, waterworks, and garbage-disposal plants, the reporting of certain diseases from institutions, special reports of communicable diseases, special quarantine and isolation, and the transportation of infectious sick. Comprising six sections. Approved July 25, 1918.

13. Regulations concerning method of treatment of night soil (comprising three sections) and the disposal of night soil (comprising four sections). Approved July 25, 1918.

14. Regulations requiring private funerals following deaths from certain communicable diseases, the quarantine of those exposed to certain diseases and the duration of the quarantine, the establishing of minimum incubation periods of certain communicable diseases, and method of disinfection prior to the removal of quarantine for certain diseases. Approved June 6, 1919.

15. Regulation requiring private funerals following deaths from chicken pox. Approved August 6, 1919.

16. Regulations regarding the classification of venereal diseases and the

procedure incident thereto. Approved August 6, 1919.

17. Regulation regarding the rental or temporary furnishing of certain articles to be used at funerals in private houses. Approved August 6, 1919. 18. Regulation regarding reporting by householders and others of cases of

communicable diseases. Approved August 6, 1919.

19. Regulations regarding the quarantine of certain cases of tuberculosis, carriers of certain pathogenic organisms, and whooping cough. Approved October 14, 1919.

20. Regulations defining and specifying method of carrying out quarantine.

Approved December 20, 1919.

21. Regulation requiring exclusion of children from school who are afflicted with certain diseases. Approved May 17, 1920.

22. Regulation requiring householders and others to report illness presenting

swellings suggesting mumps. Approved May 17, 1920.

23. Regulations governing quarantine for acute anterior poliomyelitis. Approved May 17, 1920.

24. Regulation relative to quarantine of diseases in educational institutions. Approved May 17, 1920.

25. Regulations pertaining to sanitation, sewage disposal, industrial waste, and water supplies. Comprising six articles. Approved May 17, 1920.

26. Regulations governing typhoid fever convalescents. Approved December

10, 1920.

27. Regulations to safeguard human life and providing for the quarantine and control of communicable diseases, etc. Comprising seven sections. Approved September 21, 1923, and amendment approved December 5, 1924.

28. Regulations governing reporting of all cases of pneumonia and quarantine of pneumonia. Comprising two sections. Approved December 21, 1926.

RHODE ISLAND

Mosquitoes-State Aid for Extermination of. (Ch. 975, Act March 31, 1927)

Section 1. Any city or town making an appropriation for work in such town for the purpose of exterminating mosquitoes and giving notice to the State auditor on or before the 15th day of May in the year 1927, and on or before the 1st day of March in any year thereafter that an appropriation has been made and is available for expenditure for such purpose, shall be entitled to State aid to an amount equal to one-half the sum expended by such city or town in any such year previous to the 10th day of November for material, labor, and other expenses for work actually performed, excluding pay for advice, supervision, services of engineers and surveyors, and clerical assistance.

SEC. 2. Any city or town failing to make an appropriation and to give notice thereof as provided in section 1 of this act shall not be entitled to such State aid.

Sec. 3. If any city or town falls to make any appropriation or an appropriation for work in such city or town sufficient to entitle it to the full amount of State aid as provided for by this act, or fails to give the required notice to the State auditor, any adjoining city or town making an appropriation for work to be performed in the city or town which fails to appropriate as aforesaid, and giving notice thereof to the State auditor on or before the 1st day of June in the year 1927, and on or before the 15th day of March in any year thereafter, shall be entitled to receive, in addition to the State aid provided for in section 1 of this act, State aid at the same rate as provided for in said section in the place and stead of such city or town failing as aforesaid, but only to the extent that such city or town fails to avail itself of such State aid.

Sec. 4. When the treasurer of any city or town entitled to State aid under the provisions of this act shall certify to the State auditor the amount expended for such material, labor, and expenses the State auditor shall draw his orders on the general treasurer in favor of such city or town for the amount to which such city or town is entitled: *Provided*, *however*, That such certification shall have been made previous to November 15 in the year in which such State aid is payable: *And provided further*, That not more than \$3,000 in State aid shall be

paid for such work performed in any one city or town.

SEC. 5. The general assembly shall annually appropriate such sum as it may

deem necessary for the purposes of this act.

SEC. 6. This act shall take effect upon its passage, and shall remain in full force and effect until the 1st day of December, A. D. 1928, when it shall stand repealed.

State Board of Health—Organization—Officers. (Ch. 1062, Act April 22, 1927)

[This act amends section 5 of chapter 153, general laws, 1923, to read as follows:]

SEC. 5. The board shall organize by the election of a president, vice president, and secretary, and the various duties and powers prescribed by law for the president shall in the event of his absence or inability be performed and exercised by the vice president. The president shall be a officio chairman of the board. The secretary shall be a well-qualified physician, who shall be commissioner of public health, and he shall be ex officio State registrar.

Soft Drinks—Permit for Manufacture and Sale—Ingredients. (Ch. 1059, Act April 22, 1927)

[This act amends sections 15 and 17 of chapter 168, general laws, 1923, to read as follows:]

SEC. 15. It shall be unlawful for any person, firm, or corporation to manufacture or bottle for sale or to sell or offer for sale any carbonated or non-

alcoholic beverage, soda water, grape juice, fruit juice, sirup, mineral or spring water, either plain or carbonated, or any other soft drink, so called, without a permit from the board of food and drug commissioners. No carbonated or nonalcoholic beverage, soda water, grape juice, fruit juice, sirup, mineral or spring water, either plain or carbonated, or any other soft drink so-called, which has been manufactured outside of this State shall be sold or offered for sale within this State unless the person, firm, or corporation manufacturing or bottling the same for sale shall hold a permit so to do from the board of food and drug commissioners. Said permits shall be known respectively as a "bottler's permit," and the person, firm, or corporation receiving said permits shall be known as the "bottler." Blank forms of application for permits shall be furnished by the board without cost. The fee for such permits shall be \$20 and all permits shall expire on December 31 of the year in which they are issued. Application for renewal of permits must be made on or before the 1st day of January of each and every year. The fee received by said board for "bottler's permits" shall be turned over to the general treasurer. All permits granted hereunder shall be posted in a conspicuous place on the premises of the bottler so that they may readily be seen by any person inspecting the premises.

SEC. 17. Any sweetening matter used in the manufacture of any beverage to which this chapter applies shall consist of pure cane or pure beet sugar or pure corn sugar. If any artificial coal-tar colors are used in the manufacture of any beverage to which this chapter applies, they shall be only such colors as are specified for use by the United States Department of Agriculture. If any vegetable colors are used in the manufacture of the same, they shall be only such colors as shall be approved by the board of food and drug commissioners or the United States Department of Agriculture. It shall be unlawful for any person, firm, or corporation to use hydrogen dioxide as a preservative.

Habit-Forming Drugs—Places Where Unlawfully Used, Kept, or Sold Deemed Common Nuisances—Penalty for Unlawful Possession, Sale, or Dispensing—Giving Notice of Seizure. Narcotic Drug Board—Duties—Office—Appropriations. Drug Addicts—Examination and Commitment for Treatment. (Ch. 1024, Act April 19, 1927)

[Sections 1 and 2 of this act amend sections 12 and 14 (as amended by ch. 793, laws of 1926) and sections 23, 24, 25, and 34 (as enacted by ch. 793, laws of

1926) of chapter 158, general laws, 1923, to read as follows:]

SEC. 12. All buildings, places, or tenements which are resorted to by habitual users of narcotic drugs for the purpose of using such drugs, or which are used for the illegal keeping or sale of the same, shall be deemed common nuisances. Whoever keeps or maintains such a common nuisance shall be punished for the first offense by a fine of not more than \$300 or imprisonment for not more than 2 years and for the second offense by a fine of not more than \$1,000, or by imprisonment for not more than 5 years, or both such fine and imprisonment; and for any subsequent offense by imprisonment for not more than 10 years.

Sec. 14. Whoever shall have in his possession a narcotic drug with intent unlawfully to sell and deliver such drug, or any part thereof, or whoever unlawfully sells, furnishes, gives away, or delivers any narcotic drug in violation of the provisions of this chapter, shall be punished by imprisonment in the State prison for not less than 5 years, or by a fine not exceeding \$2,000, or by both

such fine and imprisonment.

SEC. 23. In addition to the authority granted to said board in section 20 of this chapter, it shall be the duty of said board to promote the enforcement of the provisions of this chapter and all acts in amendment thereof and in addition thereto, and in the furtherance of this purpose said board may call upon the attorney general and the police authorities of the several cities and towns to prosecute any violations of this chapter. Said board shall elect from its members a chairman and a secretary.

SEC. 24. Said board shall have an office in the statehouse which shall be assigned for its use by the statehouse commission. The general assembly shall annually appropriate such sum as it may deem necessary for the payment of clerical assistance to the board and for other necessary expenses incurred by the board in the performance of its duties, and the State auditor is directed to draw his order upon the general treasurer for the payment of the sum so

appropriated or so much thereof as may from time to time be necessary upon receipt of proper vouchers approved by a majority of the members of said board.

SEC. 25. Whenever complaint in writing and under oath shall be made to any justice or clerk of a district court that any person within the county is addicted to the use of drugs so as to be dangerous to the peace or safety of the people of the State, or so as to render his restraint and treatment necessary for his own welfare, such justice or clerk shall issue his warrant under his hand and seal, returnable forthwith, directed to the sheriff, deputy sheriffs, chiefs of police, town sergeants, or constables in said county, requiring the officer charged therewith to apprehend such person and have him, with such warrant, before such or some other district court for examination relative to such complaint at such time and place within the district as shall be named in the warrant. And whenever such complaint shall be accompanied by a certificate signed by two practicing physicians in this State, which shall declare that said alleged drug addict is an invalid or that his condition, mental or physical, is such that he can not, without serious prejudice to his welfare, be examined in open court, district courts are hereby empowered and directed to hold such examination at such times and places within their districts as shall be most conducive to the health and comfort of the person to be examined, naming the place of examination in each mittimus of commitment, if such shall be made. Whenever an examination is made, such justice shall not commit such person to an institution without having the testimony of two practicing physicians of good standing that such person is a drug addict or in need of restraint.

SEC. 34. If the owner or keeper be not named in the warrant or be not found, the court shall order a notice of such seizure to be given by posting up written notices in at least three public places in the city or town, one of which shall be on the building or near the place where the seizure was made, and such other

notice shall be given as the court shall deem to be necessary.

SEC. 3. In addition to the sums provided in the annual appropriation bill for the fiscal year ending November 30, 1927, to be expended by the narcotic drug board, the sum of \$500 is hereby appropriated to be expended by said board for the purposes of this act, and the State auditor is hereby directed to draw his order upon the general treasurer for the payment of said additional sum or so much thereof as may be necessary upon receipt of vouchers approved by a majority of said board.

Animals-Inspection and Quarantine When Suspected of Having Communicable Disease. Nonbovine Animals-Examination When Suspected of Having Communicable Disease—Destruction of Diseased Animals and Disposal of Carcasses. Bovine Animals—Tuberculin Testing When Suspected of Having Tuberculosis—Appraisal and Destruction When Tuberculous—Indemnity to Owners. (Ch. 971, Act March 29, 1927)

[This act amends sections 8. 9, 10, and 13 (the latter as amended by ch. 788,

laws of 1926) of chapter 241, general laws, 1923, to read as follows:]

SEC. 8. The board may appoint one or more commissioners in each county of the State, whose duty it shall be to visit and inquire into the condition of any domestic animal in their respective counties whenever there is reason to suspect that any such animal, or the carcass of any such animal, is affected with tuberculosis, or other contagious, infectious, or communicable disease; and the commissioners in their respective counties are authorized to quarantine any such animal, or the carcass of any such animal, until inspected by the veterinarian employed by the board. The board may also employ from time to time such number of veterinary surgeons as it may find necessary to carry out the

purposes of this chapter.

Sec. 9. Anyone having reason to suspect that any horse or other nonbovine animal is affected with glanders, farcy, or any contagious or communicable disease shall immediately report the same to the secretary of the State board of agriculture or to the general agent of the Rhode Island Society for the Prevention of Cruelty to Animals, who shall notify the veterinarian employed by the State board of agriculture, or such veterinarians as may be duly appointed by the Rhode Island Society for the Prevention of Cruelty to Animals and approved by said board, and the veterinarian so notified shall promptly examine the suspected animal; and if it is found to be affected with glanders, farcy, or any contagious or communicable disease, the said veterinarian shall cause said animal to be killed and the carcass to be disposed of in such manner as shall not be detrimental to the public health. If the veterinarian so appointed by

said Rhode Island Society for the Prevention of Cruelty to Animals and appointed by said board of agriculture shall become unsatisfactory to the board, on notice thereof to said veterinarian from the board, said veterinarian shall cease to have any power and authority under, this chapter, and said Rhode Island Society for the Prevention of Cruelty to Animals shall thereupon appoint

some other veterinarian to be approved by the board as aforesaid.

Sec. 10. Whenever the owner of any bovine animal shall suspect such animal to be affected with tuberculosis, and shall in writing request a cattle commissioner of the county in which such animal is located to inspect the animal, or whenever a cattle commissioner shall suspect any bovine animal to be affected with tuberculosis, such cattle commissioner shall immediately notify the secretary of the State board of agriculture, and said secretary shall promptly direct a veterinarian and a cattle commissioner of the county in which such animal is located to inspect and test such animal on a day certain. in all cases shall be a tuberculin test conforming to the standards of the Bureau of Animal Industry of the United States Department of Agriculture. If such test indicates that such animal is affected with tuberculosis, or if, notwithstanding such animal fails to react to such test, the veterinarian shall condemn such animal as affected with tuberculosis, such animal shall at once be appraised as hereinafter provided, and killed in the presence of the veterinarian, the cattle commissioner, and the owner, or if the owner is not present, then in the presence of the person who has charge of the animal for the owner; and its carcass shall be disposed of in such manner as will not be detrimental to the public health.

Sec. 13. In the case of any bovine animal tested and killed as provided in section 10 of this chapter, if a post-mortem examination shows that such animal was affected with tuberculosis, or whatever the result of a post-mortem examination, if such animal failed to react to the tuberculin test and was killed because it was condemned by the veterinarian, the State shall pay to the owner of such animal one-half its appraised value; but if such animal reacted to the test and a post-mortem examination shows that such animal was not affected with tuberculosis then the State shall pay to the owner of such animal its full appraised value: *Provided*, That no payment shall be made for any animal unless at the time such animal is killed all the other bovine animals in the heard of which such animal was a part are subjected to the tuberculin test required by said section 10 and such of the animals of said herd as react to such test or are condemned by the veterinarian as affected by tuberculosis are appraised and killed: Provided further, That the State shall not pay for any animal so killed unless it has been in the State continuously for five months prior to such killing and is owned by a person who has resided in the State for a like period. It shall be the duty of the cattle commissioners of the several counties to demand of the owner of any animal killed under said section 10 that the premises where the diseased animal has been kept shall be thoroughly cleansed and disinfected to the satisfaction of the cattle commissioners, and the board shall direct what said cleansing and disinfecting shall consist of.

Cattle—Importation—Penalties for Certain Violations of Law Relating to. Chief Milk Inspector—Powers and Duties. (Ch. 1014, Act April 14, 1927)

[Sections 2 and 3 of this act amend, respectively, sections 14 (as amended by ch. 788, laws of 1926) and 30 of chapter 241, general laws, 1923, to read as follows:

Sec. 14. All persons, firms, corporations, or associations intending to ship, transport, import, or to drive cattle into this State shall make written application to the State commissioner of agriculture for permission to so ship, transport, import, or drive such cattle into this State, and in such application shall state the breed, sex, age, and general marking on each animal, and with such application such person shall forward to said commissioner a chart signed by a veterinarian approved by the Bureau of Animal Industry of the United States Department of Agriculture showing that the animals described therein are from officially tuberculosis free accredited herds or have been tuberculin tested within three months of date of shipment with the intradermic test and a certificate of such veterinarian approved as aforesaid, that upon such test and a physical examination such animals have been found to be free from tuberculosis, or other contagious or communicable disease. Upon the receipt

of such application and certificate said commissioner shall issue a permit to the owner or importer of such cattle to ship, import, transport, or drive the animals described in such application into this State. All cattle which are being shipped, transported, imported, or driven into the State shall at all times be accompanied with such a permit. Any person firm, corporation, or association shipping, transporting, importing, or driving cattle into this State without first obtaining such a permit or who shall fall to have such cattle which are being shipped, transported, imported, or driven into the State accompanied at all times with such a permit shall be fined not more than \$500 or be imprisoned for not more than one year or suffer both such fine and imprisonment.

SEC. 30. Any cattle commissioner, veterinarian, or other officer, agent, or employee appointed by the State commissioner of agriculture, having immediate control of the carcass of an affected animal, as described in section 10 of this chapter, who shall permit the disposal of such carcass or any part thereof in such a manner as will be detrimental to the public health, shall be fined

not exceeding \$1,000 or imprisoned not exceeding two years.

Any cattle commissioner, veterinarian, or other officer, agent, or employee appointed by the State commissioner of agriculture, who shall knowingly certify for payment the claim of any person not the owner of the affected animals at the time of the test described in section 10 of this chapter, shall be fined not exceeding \$500 or be imprisoned not exceeding one year.

Any person who shall violate any provision of this chapter for which a penalty is not otherwise provided for shall be fined not exceeding \$500 or be imprisoned

not exceeding one year.

[Section 5 adds the following to chapter 203, general laws, 1923:]

SEC. 29. It shall be the duty of the chief milk inspector appointed by the State commissioner of agriculture to assist in the enforcement of the provisions of this chapter and of chapter 204 of the general laws, and of all other laws relating to the milk supply of the State, under the direction of said commissioner, and for such purpose he may with the approval of said commissioner employ such assistants as may be necessary to enable him to properly discharge his duty. The chief milk inspector and his assistants shall be paid such compensation as may be fixed by the commissioner within the sum appropriated therefor, upon vouchers approved by the commissioner.

Marriages—Licensing of Clergymen to Perform. (Ch. 1005, Act April 12, 1927)

SECTION 1. Section 6 of chapter 287 of the general laws, entitled "Of mar-

riage," is hereby amended to read as follows:

"Sec. 6. No minister or elder of any religious denomination shall join any persons in marriage in this State until he shall have obtained a clergymen's license as hereinafter provided. Such license may be obtained by residents of this State from the clerk of the town or city wherein such minister or elder resides, and any nonresident minister or elder who is pastor of any church in this State which has no other pastor competent to act or any bishop or other similar officer who is the official head of the religious work of his denomination in this State, or any nonresident minister or elder who is pastor of a church outside of the State, but adjacent to any city or town in the State in which more than half of the members of such church reside, and who shall file a sworn statement signed by him setting forth the foregoing facts, with the secretary of the State board of health, and giving such other information in regard to such church as said secretary may require, may obtain such license from the secretary of the State board of health. The fee for each of such licenses shall be \$1.

"Upon issuing any such license said town or city clerk or secretary shall record the name, residence, and denomination of such licensed clergyman, together with the name of the parish with which he is associated, if any, in a book kept for that purpose. Any such license now or hereafter issued by any town or city clerk shall be valid until such time as the holder thereof shall become domiciled outside this State, provided that any such licensed clergyman removing from one town to any other town in the State shall notify the registrar of the town to which he shall remove, and furnish the facts heretofore mentioned, and in addition thereto the name of the town in which he was licensed. Said licensed clergyman's name shall thereupon be recorded in said book, and in addition thereto such clerk shall enter the name of the town in which said

clergyman obtained his license.

"Every registrar upon receiving notice as hereinafter provided, of the removal to some other town of any clergyman licensed in his town, shall enter upon the record of the original license the name of the town to which such clergyman

shall have removed.

"The clerk of each town or city shall forthwith after May 7, 1909, furnish the secretary of the State board of health with a list of the clergymen heretofore licensed in such town who are now resident therein, together with the other facts required, and hereafter upon issuing any such license shall furnish the name and similar facts concerning the clergyman to whom such license is issued, and shall also furnish the name and similar facts concerning any licensed clergyman, who shall notify him of a transfer of his residence to such town. The secretary of the State board of health, upon receiving any list of licensed clergymen or any notification of any transfer of any such clergymen, forthwith shall send the names and other facts concerning such licensed clergymen to the clerks of the several towns and cities, and in a like manner shall notify the town and city clerks whenever he shall issue a license to any nonresident clergyman."

Maternity and Infancy—Appropriations by Cities and Towns for Promotion of Welfare and Hygiene of, Authorized. (Ch. 1055, Act April 22, 1927)

[This act adds the following to chapter 47, general laws, 1923:]

SEC. 26. Any city or town may annually appropriate a sum to be expended for the promotion of the welfare and hygiene of maternity and infancy in such city or town, under the supervision of and in cooperation with the State board of health through its division of child welfare and such city or town may provide that any such appropriation may be expended by said State board of health or under the joint supervision of said board and an officer or agent appointed by said city or town to cooperate with said board in carrying out the purposes of such appropriation.

Hairdressing and Cosmetic Therapy—Health Certificate Required of Applicant for Certificate of Registration—Statement as to Health of Apprentice. (Ch. 1026, Act April 20, 1927)

[This act amends, among others, sections 3 and 12 of chapter 765, laws of

1926, to read as follows:]

SEC. 3. Any person shall be eligible to obtain a certificate of registration under this act * * * (c) who shall furnish the certificate under oath of a physician duly licensed to practice in this State that such person is free from contagious or infectious disease; * *

Sec. 12. Every apprentice, in order to avail himself of the provisions of this act, shall within 10 days after entering upon his apprenticeship, file with the secretary of the board a statement in writing setting forth that said apprentice

is free from contagious or infectious disease, * *

SOUTH CAROLINA

Executive Committee of State Board of Health—Appointment of Member of State Dental Association as Member of. (No. 144, Act April 8, 1927)

SECTION 1. Member of State dental association to be member of executive committee of State board of health.—Immediately upon the approval of this act by the governor the State dental association shall recommend to the governor one of its members to be appointed on the executive committee of the State board of health and upon such recommendation the governor shall commission such member as a member of the executive committee of the State board of health, who shall have all the duties, powers, and authorities, together with the other members of the executive committee, as is now provided for by law.

Child Placing Bureau—Transfer to State Board of Health—Powers and Duties—Reports to. Children—Bringing or Sending into State and Leaving Them, Placing Them in Foster Homes, or Procuring Their Adoption. (No. 196, Act April 22, 1927)

Section 1. Child placing bureau transferred to State board of health—Powers.—The child placing bureau of the State of South Carolina, heretofore operating under the State board of public welfare, is hereby transferred to the State board of health and is authorized to place out in free family homes for adoption, destitute, delinquent, neglected, and dependent children committed to their care, and defective and otherwise handicapped children, committed to their care shall be placed in such institutions as are provided by the State for their care as may appear advisable for the best interest of the child.

SEC. 2. Duties of investigating—Of supervision.—The child placing bureau in placing out destitute, neglected, dependent, or delinquent children in private families shall safeguard the welfare of each child by a thorough investigation of each applicant, the home, and its environment; and shall personally and adequately supervise each child until the child receives legal adoption or

attains legal age.

Sec. 3. Records to be kept.—The child placing bureau of the State board of health shall keep a record containing the names, ages, and former residence, occupations, and character, so far as is known, of the parents of children coming under its superv.sion, the dates of reception, placing out, and adoption of children, together with the name, occupation, and residence of the person with whom the child is placed; the date and cause of any removal to another home; and a brief history of each child until it shall have reached the age of 18 years, or shall have been legally adopted or discharged according to law.

SEC. 4. To act as guardian—May consent to adoption.—The child placing bureau of the State board of health shall be the guardian of the persons of all destitute, dependent, neglected, or delinquent children who are committed to their care and shall, as soon as practicable, place said child or children in private homes, either temporarily or as members of families, and where such act on is deemed proper and desirable and does not conflict with any retained legal rights of natural parents, may consent in loco parentis to their legal adoption.

Sec. 5. Introduction of children into State regulated.—That no person, agency, or institution shall bring or send into this State, from another State, Territory, or country, any child and leaving it, place it in a foster home, or procure its adoption without the person so bringing or sending the child shall first notify the child-placing bureau of the State board of health of their intention so to do, and shall before bringing said child into this State obtain from the bureau a certificate stating that such home is in the opinion of the bureau a suitable

¹ Act 102, approved Mar. 25, 1927, reads the same as Act 144.

home for the child, and such certification shall state the name, age, and personal description of the child, and the name and address of the person with whom the child is to be placed, and shall furnish satisfactory evidence that said child is not incorrigible or of unsound mind or body, and such other information as may be required by the bureau, and that they will remove any such child who becomes a public charge or who in the opinion of the bureau becomes a menace to the community prior to its adoption or of legal age. The person bringing or sending the child into the State shall report at least once each year, and such other times as the bureau shall direct, as to the location and well-being of the child so long as it shall remain in the State and until it shall have reached the age of 18 years or shall have been legally adopted.

SEC. 6. May investigate for State institutions.—The child-placing bureau of the State board of health shall act as a bureau of investigation and may be used by State institutions in investigating all applications for admission and

dismissal of children.

Sec. 7. Removal of child from mother to be reported—Exception.—All private individuals, including midwives, physicians, nurses, and hospitals and the officers of all private institutions, as well as agencies and organizations, who shall remove a child within six months after its birth from its natural mother, shall report to the child-placing bureau the names and addresses of the parents of the child and names and addresses of the persons with whom said child is left, unless the person removing said child from its natural mother knows of his orher own knowledge that said child was born in wedlock and was not removed from its mother because of immoral surroundings.

SEC. 8. Violation of act or false statements a misdemeanor.—Any person who shall violate any of the provisions of this act or who shall make any false statements or reports to the child-placing bureau with reference to the matters contained herein and any parent or guardian or person receiving a child who shall give a false name or address to the child-placing bureau shall upon conviction be guilty of a misdemeanor and be punished by fine or imprisonment, or

both, at the discretion of the court.

SEC. 9. Not applicable to near relatives.—That the provisions of this act shall not apply to persons related by blood or marriage to such child or children.

within the sixth degree.

Sec. 10. Act (1924, XXXIII, Stats. 1190) repealed.—That act No. 728, at page 1190, of the acts of 1924, and all other acts or parts of acts inconsistent with this act, are hereby repealed.

Products Grown or Produced in State and Used as Food for Human Beings or Animals—Analysis. (No. 152, Act April 9, 1927)

SECTION 1. Commission for analysis of food products of State.—The president of the university of South Carolina, the president of Clemson College, and the dean of the Medical College of the State of South Carolina, together with two other members to be appointed by the governor, be and they are hereby constituted a commission to have exclusive charge of the analysis of all products.

grown or produced in this State used as food for humans or an mals.

Sec. 2. Organization—Assistants—To issue bulletin, etc.—Immediately upon the appointment by the governor of the two members herein provided for, they with the other three herein named, shall meet and organize for the purpose of carrying into effect the provisions of this act, and in doing so may select such chemists as they feel are best qualified to perform the duties required and such other help as they deem necessary, and upon the analysis of all products herein provided for they shall issue a bulletin setting forth an accurate analysis of all such products; such bulletin may be issued in circular form and also placed in one or more daily papers in the State, or issued in such manner as will give wide publicity to all commodities produced in this State.

SEC. 3. Powers for making analysis of food products.—The commission herein created shall have the right and privilege, and it is hereby invested with authority, to use any State laboratory of this State and the equipments therein for the purpose of carrying in full force and effect this act and shall, if in their judgment deem it necessary, use any funds available from any source for food analysis in analyzing any of the food products provided for in carrying

into effect the provisions of this act.

Plumbers—Examination. Plumbing—Installation. (No. 138, Act April 4, 1927)

[This act provides that in cities or towns having 15,000 or more inhabitants [This act provides that in cities or towns having 15,000 or more inhabitants there shall be a board for the examination of plumbers. The city or town health officer shall be ex officio the chairman of the board of plumbing examiners. It is made the duty of said cities or towns to provide regulations for the construction of plumbing and to provide for the appointment or election of a plumbing inspector.]

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SOUTH DAKOTA

State Tuberculosis Hospital—Payment for Support and Treatment of Patients. (Ch. 205, Act March 4, 1927)

SECTION 1. That section 5546 of the South Dakota Revised Code of 1919, as amended by chapter 291 of the laws of 1923, be amended to read as follows: Sec. 5546. Duties of officers.—It shall be the duty of the superintendent of the State sanitarium to furnish the county auditor of each county having patients in the sanitarium a monthly report giving the number of patients, the name and cost of treatment of same and the total amount due from said county for such month. Such report shall be made not later than the fifth day of the month following the month for which such report is made. At the time of the making of such report the superintendent shall furnish the State auditor with a certified copy of same. Upon receipt of such certified copy the State auditor shall charge such amount to the county from which due, which amount shall be paid into the State treasury by the county treasurer at the time and in the manner required for the payment of collected State taxes, which payment shall be placed to the credit of the general fund. It shall be the duty of the board of county commissioners of each county annually to levy a tax sufficient to pay for the support of its patients as provided in this code and should any county fail to levy a tax sufficient to pay the amount due the State at the time of levying other county taxes, it shall be the duty of the attorney general to bring action against such county, in the name of the State, to enforce the levy of such tax. It shall be the duty of the county auditor to cause such report to be published in the official newspapers of the county with the proceedings of the county board, and he shall add thereto a statement showing the amount paid by patients and the amount paid by the county and the amount of taxes collected in the county for the maintenance of the State sanitarium: Provided, That no names of patients given in the report shall be published. It shall also be the duty of the superintendent of the sanitarium to furnish at once to the county auditor and to the county judge of the county wherein the legal settlement is found to be and to the State auditor the name of each patient discharged whether recovered, paroled, or on visit, and, when requested, to make a brief statement as to the progress and physical condition of each patient. It shall also be the duty of the county treasurer of each county having patients in the sanitarium to receive and receipt for all sums of money due from such patients to his county and which receipt shall be made in triplicate, one copy of which shall be filed with the county auditor.

Sec. 2. That sections 5548, 5549, and 5551 of the South Dakota Revised Code of 1919 be and the same are hereby repealed.

County Boards of Health-Powers. (Ch. 85, Act February 5, 1927)

SECTION 1. That section 7680 of the South Dakota Revised Code of 1919 be amended to read as follows:

Sec. 7680. Powers.—Subject to the supervising control of the State board of health, the county board of health, within the territorial limits of its county not included in any city having its own board of health, shall have power:

1. To enforce any and all needful rules and regulations made by the State board for the prevention and cure and to prevent the spread of contagious diseases.

2. To establish quarantine and isolate any person afflicted with a contagious or infectious disease.

To remove or cause to be removed any dead, decaying, or putrid body, or any decayed, putrid, or other substance that may endanger the health of persons or domestic animals.

¹ Supplement 49 to Public Health Reports, p. 354.

4. To appoint all duly licensed physicians within the county, deputies with power to quarantine any and all cases of infectious, contagious, or communicable diseases, subject to quarantine pursuant to the rules and regulations of the State board. For all services rendered in quarantining, such deputies shall be entitled to the sum of one dollar for each premises so quarantined. The county board shall also have power to delegate to any person or physician within the county authority to release any quarantine, under the supervision of such county board, to fumigate premises, and to do any and all other things that may be

necessary to protect the health of the public.

5. In addition to the above powers it shall have original power to inquire into sanitary conditions of schoolhouses within the county, and upon complaint and investigation shall have power to abate any insanitary conditions that may be found to exist. When upon investigation such county board of health shall find any schoolhouse in such an insanitary condition that it is detrimental to the health of the children attending school therein, it shall immediately summon the school board of any such district to a hearing thereon, and to require the school board to abate the condition complained of. The order so made shall be in writing and a copy of such order placed on file in the office of the secretary of such board. Any order so made shall be enforcible in the same manner as are other orders made by such board with the same rights of appeal to the circuit court.

Soft Drinks and Ice Cream—Cleanliness of Containers in Which Bottled, Packed, or Stored—Cleanliness of Utensils Used in the Serving of. (Ch. 120, Act March 10, 1927)

Section 1. It shall be unlawful for any manufacturer or dispenser of carbonated or soft drinks or ice cream to pack or sell any such drink or products unless the glass, jug, bottle, can, or other container in which the same is packed, stored, or served be a clean and previously unused individual, sanitary receptacle, or unless such receptacle be clean and sanitary or, since tast being used for any purpose, shall have been thoroughly washed in clean water or in a disinfecting solution approved and authorized by the State board of health, and any spoons or other utensils used in serving the same and intended for future use shall be thoroughly cleansed. Nothing, however, in this act shall prevent the use of paper cups and dishes if used but once, nor hold the dispenser responsible for the violation of this act by the manufacturer.

Sec. 2. It is made the duty of the State board of health to inspect all factories, bottling works, and dispensaries of such products within the State and to report any violations of this act to the State's attorney, whose duty

it shall be to prosecute the same.

SEC. 3. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and for each offense shall be punished by a fine of not less than \$10 nor more than \$100.

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Creameries, Cheese Factories, Ice Cream Factories, etc.—License. (Ch. 96, Act March 4, 1927)

Section 1. The secretary of the department of agriculture, through the division of inspections, shall carry into effect the provisions of this act, in connection with the enforcement of all other acts which may be in force or which may be hereafter enacted relating to dairies and dairy products, and he is hereby authorized and empowered to promulgate and enforce such rules and regulations as may be deemed proper and necessary to carry into

effect the provisions of this act.

SEC. 2. That for the purpose of this act the term "cream station" shall be defined to mean any place where milk or cream from more than one herd is received, and that is weighed or purchased, when such milk or cream is to be manufactured into butter, cheese, or ice cream by some other individual, firm, or corporation, or in some separate building or location than that in which such cream or milk is weighed, tested, or purchased: Provided, however, That it is not intended by this article to include weighing on public scales by producers before shipment by themselves.

Sec. 3. Every person, firm, association, or corporation owning or operating any creamery, cheese factory, butter factory, renovating or process-butter factory, ice-cream factory, or cream station in the State of South Dakota shall be

required, before beginning business, to obtain from the secretary of the department of agriculture a license for each and every creamery, cheese factory, butter factory, renovating or process-butter factory, ice-cream factory, condensory, wholesale milk dealer, or cream station owned or operated by such person, firm, association, or corporation in this State. That the fee for such license shall be \$10, which shall be good for one year or any fraction thereof and shall terminate on December 31 of each year and no license shall be transferable: Provided, That if the period elapsing between the time it was issued and December 31 is less than a full year, then the amount of license shall be prorated. Each license shall record the name of the person, firm, association, or corporation owning or operating the creamery, cheese factory, butter factory, renovating or process-butter factory, ice-cream factory, condensory, wholesale milk dealer, or cream station licensed, its place of business, the location thereof, the name of the manager thereof, and the number of the same. Each license so issued shall constitute a license to the manager or agent of the place of business named therein and in the event such person, firm, association, or corporation is engaged in one or more of the businesses herein licensed within the same building in the same location, only one license fee shall be required to be paid. It shall be the duty of every person, firm, association, or corporation holding a license to operate any plant as herein specified to post the license certificate in a conspicuous place at his or its place of business.

Sec. 4. That all license fees herein provided for shall be collected by the secretary of the department of agriculture and shall be paid into the treasury of the State of South Dakota and placed to the credit of the general fund.

Sec. 5. It shall be the duty of the secretary of the department of agriculture, at any time, to revoke any license on evidence that licensee has violated any of the existing dairy statutes or has refused to comply with all lawful requests of the secretary of the department of agriculture or his authorized agents: Provided, however, That no license shall be revoked except on 20 days' notice to the licensee, his or its agent or manager, to be served as summons is served in civil actions, specifying the substance of the complaint, and the time and place at which evidence will be heard in support of the complaint, and that an opportunity will be afforded to such licensee complained about to submit evidence and proof in defense of such charges.

Sec. 6. Any person, firm, association, or corporation who engages in any of the businesses herein licensed without first procuring a license as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished for each offense by a fine of not less than \$15 nor more than \$100 or by imprisonment of not less than 10 days nor more than 90 days, or both.

Sec. 7. That any person, firm, association, or corporation engaged in the business of operating a creamery, cheese factory, butter factory, renovating or process-butter factory, ice-cream factory, condensory, wholesale milk dealer, or cream station who shall violate any of the laws relating to the handling, purchasing, and selling of dairy products under the dairy statutes now in force or who shall violate any of the statutes relating to unfair and unlawful discrimination shall, as defined by the laws of this State, in addition to the penalties provided therefor, forfeit the license herein provided for, after notice and hearing as provided for by section 5 of this act: *Provided*, That when any license has been revoked the person, firm, association, or corporation complained of may upon request be granted a rehearing and if a satisfactory agreement can be reached by and between such person, firm, association, or corporation and the secretary of the department of agriculture, the license of said person, firm, association, or corporation may be reinstated and he be authorized to resume business at the place named in the license: Provided further. That if a rehearing is denied or an agreement can not be reached, then and in that case recourse may be had by an appeal to the circuit court.

Sec. 8. That the secretary of the department of agriculture, his agents and employees, shall have access, ingress, and egress to all places of business, factories, or buildings where any dairy products are bought, manufactured, held, or stored, and shall have access to all of the books and records of such places of business for the purpose of enforcing the provisions of this act, as well as any other duty imposed upon him by any other statute regulating the purchasing, selling, manufacture, or disposition of dairy products. The refusal to allow access, ingress, or egress or inspection as herein provided for shall be deemed to be a violation of this act and shall be punishable as

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Water Supplies-Acquisition by Municipalities. (Ch. 175, Act March 4, 1927)

Section 1. That section 6393 of the South Dakota Revised Code of 1919 be, and the same is hereby, amended to read as follows:

SEC. 6393. Authority to appropriate veater.—Every municipal corporation shall have power to purchase or acquire by condemnation a suitable supply of water, either within or without the limits of the municipality, whenever the governing body thereof shall by resolution declare it to be necessary, and convey the same by ditch, flume, or other appliance; to acquire, by purchase or condemnation, sites for reservoirs, intakes, and storage and rights of way for conduit lines and for the maintenance and operation of a system of waterworks, including dams, reservoirs, conduit lines, and all appliances connected therewith: Provided, however, That when the water of any stream is so condemned, appropriated, or diverted for the use of any municipality or its inhabitants the portion not so used shall be returned to the natural channel of the same stream at or near the place where diverted.

Feeble-Minded Persons—Creation of State Commission for Control of— Sterilization. (Ch. 118, Act March 4, 1927)

[This act amends sections 1 and 6 (as amended by ch. 164,² laws of 1925) of chapter 235, laws of 1921, to read as follows:]

Section 1. The State commission for the control of the feeble-minded is hereby created. It shall consist of the superintendent of the State school and home for the feeble-minded, and one physician and one lawyer to be appointed by the governor. The appointive members shall serve for terms of four years and shall receive for their services the sum of \$5 for each day actually and necessarily devoted to the performance of their duties and their actual necessary expenses. The superintendent of the State school and home for the feeble-minded shall be chairman of the board. The commission shall have the power to employ a psychologist and any other personnel that they shall deem necessary for carrying out the provisions of this act. Any expense incurred in the administration of this act, including per diem of appointive members of the commission, compensation of employees, and traveling expenses of any such, including board and lodging while away from home and engaged in the performance of their duties, shall be paid out of the funds provided for the maintenance and support of the State school and home for feeble-minded.

SEC. 6. In every instance where it is reported, or comes to the attention of said State commission, that there is within the State of South Dakota, outside of the State school and home for feeble-minded, a feeble-minded person, it shall be the duty of said State commission to proceed forthwith, in such way as it deems advisable, to make an investigation to determine whether it is improper or inadvisable to allow such person to procreate, and if in the opinion of said State commission or a majority thereof it is improper or inadvisable to allow such person to procreate, it shall thereupon be the duty of said State commission to make complaint forthwith to the county board of insanity of the county in which such feeble-minded person resides, or if such feeble-minded person has not established a residence within any county in this State, to the county board of insanity of any county within which such feeble-minded person may be found. Such county board of insanity shall thereupon, after giving the same notice as is provided with regard to commitment of the insane, proceed with a full and complete hearing and investigation, and if upon such hearing and investigation a majority of said county board of insanity is of the opinion that procreation by such feeble-minded person would produce children with a tendency to disease, a feeble-mindedness, idiocy, or imbecility, or of the opinion that the mental condition of such feeble-minded person would probably be materially improved by the operation provided for in section 5538 of the South Dakota Revised Code of 1919, said county board of insanity shall thereupon commit said feeble-minded person to the State school and home for feebleminded, and shall certify to the superintendent of said State school and home for feeble-minded the findings of said county board of insanity as to the impropriety and inadvisability of allowing such feeble-minded person to procreate. It shall thereupon be the duty of the said superintendent to make the examination and investigation provided for in said section 5538 of said

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² Supplement 59 to Public Health Reports, p. 446.

South Dakota Revised Code of 1919, and the said superintendent and the board of charities and corrections shall thereupon proceed and follow the same course with regard to said feeble-minded person as is provided in said section 5538 of said South Dakota Revised Code of 1919, with reference to other inmates of

said school and home for feeble-minded.

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Provided, however, That no person shall be committed unless a majority of said county board of insanity finds that such person is feeble-minded: And provided further. That in case said county board of insanity is of the opinion that it would be safe and proper to permit said feeble-minded person to remain at large, if the danger of procreation was eliminated, commitment shall not be made if within a reasonable time such feeble-minded person, his parent, or guardian presents evidence satisfactory to said county board of insanity that an operation has been performed on said feeble-minded person eliminating all possibility of procreation. In such cases such feeble-minded person, his parent, or guardian may elect whether to have such operation performed at their own expense, by a physician to be chosen by them or by a physician to be designated by said county board of insanity, which physician shall be compensated for his services in performing such operation in such sum as said county board of insanity deems reasonable, such compensation to be paid out of the general funds of the county. Nothing contained in this section shall be construed as limiting or abrogating any other provisions of law with reference to the commitment of feeble-minded persons, the purpose and intent of this section being to require and compel the immediate commitment for the purposes herein designated, except as specifically herein provided, of all feeble-minded persons who should not be permitted to procreate. The performance of such operation, whether with or without the consent of such individual, shall be lawful, and shall not render the said commission, its members, the institution, or any person participating in the operation, liable either civilly or criminally.

Provided, That at least 15 days before any operation of vasectomy or ligation of the fallopian tubes shall be performed on any feeble-minded person under the provisions of section 5538 there shall be personally served upon such feeble-minded person and also upon the parent or guardian of such person written notice of the determination to operate, together with notice of the right to have a hearing by making written demand therefor to be personally served upon the superintendent of the State school and home for the feeble-minded within 15 days from the date of service. Unless written demand for hearing signed by such person, parent, or guardian or the attorney for any such is served upon the superintendent as required by such notice, the operation shall be performed without further or other proceedings. In case such demand is so served, the State commission for the control of the feeble-minded shall fix a time and place for hearing on the question of whether or not such operation shall be performed, written notice of which shall be served on the person or persons signing the demand therefor at least 15 days before the date of hearing. The decision of the commission upon the hearing shall determine the matter: Provided, however, That any person feeling himself aggrieved by such decision may appeal to the circuit court of the county in which such hearing was held but which may be removed to the county of the residence of the alleged feeble-minded person or of his parent or guardian in the same manner as other civil actions are re-Such appeal may be perfected by the service of a notice of appeal on said superintendent and by filing the same together with a bond for costs for at least \$100 in the office of the clerk of court within 30 days after notice of such decision by the State commission. All proceedings shall be stayed by the service of such notice of appeal and furnishing of said bond, and no such operation shall be performed until the expiration of the said 30 days.

Barbers—License—Certificate of Health. Barber Shops—Use of Certain Places as, Regulated—Prescribing of Sanitary Requirements Governing— Inspection. (Ch. 61, Act March 9, 1927)

Sec. 5. Qualifications for certificate of registration as registered barber.—A person is qualified to receive a certificate of registration to practice barbering—

5. * * * who shall have presented to the board [of barber examiners] a certificate from a regularly licensed practicing physician showing said applicant to be free from any infectious or contagious disease. Said certificate shall

have been issued not more than 10 days prior to the date of making application for registration under the provisions of this act.

SEC. 14. Renewal and restoration of certificates.—Every registered barber and every registered apprentice who continues in active practice or service shall annually, on or before July 1 of each year, renew his certificate of registration and pay the required fee. Every certificate of registration which has not been renewed during the month of July in any year shall expire on the 1st day of August in that year. A registered barber or a registered apprentice whose certificate of registration has expired may have his certificate restored immediately, upon payment of the required restoration fee: Provided, however, That no certificate shall be renewed until the applicant shall have presented to the board a certificate of health from a regularly licensed practicing physician, showing that such applicant is free from any infectious or contagious disease. Said certificate of health shall bear date of issue not more than 10 days prior to date of application.

Sec. 15. Refusal and revocation of certificate.—The board shall either refuse to issue or renew or may suspend or revoke any certificate of registration for

any, or combination, of the following causes:

3. Continued practice by a person knowingly having an infectious or contagious disease.

6. Habitual drunkenness or habitual addiction to the use of morphine, cocaine, or other habit-forming drugs.

8. The commission of any of the offenses described in section 18, subdivisions 3, 4, and 6.

Sec. 18. Certain acts prohibited.—Each of the following constitutes a misdemeanor, punishable upon conviction by a fine of not less than \$25 or more than \$200.

6. The use of any room or place for barbering which is also used for residential or business purposes, except the sale of hair tonics, lotions, creams, cutlery, toilet articles, cigars, tobacco, confectionery, newspapers, magazines, periodicals, or for the playing of pool or billiards, and such commodities as are used and sold in barber shops, unless a substantial partition of ceiling height separates the portion used for residential or business purposes.

Sec. 22. Rules, inspection, records.—The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this act and prescribe sanitary requirements for barber shops and barber schools, subject to the approval of the State board of health, any member of the board or its agents or assistants shall have authority to enter upon and to inspect any barber shop or barber school at any time during business hours. A copy of the rules and regulations adopted by the board shall be furnished by the board to the owner or manager of each barber shop and barber school, and such copy shall be posted in a conspicuous place in such barber shop or barber school.

Barber Shops—Sanitary Requirements. (Reg. Bd. of Barber Examiners, Approved July 19 and December 13, 1927)

1. The use of barber shops as living, dining, or sleeping apartments is

2. The floors, walls, furniture, and other fixtures of barber shops shall at all times be kept clean. All jardinieres and cuspidors shall be thoroughly cleansed at least once each day. Floors must be kept free from hair and swept or mopped each day.

3. Every barber shall see that no person expectorates on the floors or walls

of his shop.

4. The location of a barber shop in a store or restaurant is prohibited, except in cases where there is no established barber shop in the town, and then only

by special permission of the State board of barber examiners. The sale of tobacco, newspapers, candy in original packages, and shoe shinging are permitted in conjunction with the management of a barber shop. In all other cases barber shops must be located in a room or rooms separate from other lines of business.

5. Every barber or other person in charge of any barber shop shall supply clean hot and cold water in such quantities as may be necessary to conduct such shop in a sanitary manner. Hot-water receptacles hereafter installed shall hold not less than 5 gallons, and where municipal water and sewers are avail-

able connections must be made.

Public drinking cups are prohibited by the regulations of the State board of health.

7. If municipal water supply and sewage disposal is not available, any privy or cesspool maintained for the use of the proprietor or employees of any barber shop must be of a type which is satisfactory from a sanitary standpoint.

8. No owner or manager of a barber shop shall permit any person suffering from a communicable disease or from a venereal disease to act as a barber in

said shop unless upon the written order of a physician.

9. No barber shall knowingly serve a person afflicted in a dangerous or infectious stage of the disease with erysipelas, eczema, impetigo, sycosis, tuberculosis, or any other contagious or infectious disease. Any person so afflicted is prohibited from being served in any barber shop, barber school, or college.

10. No barber or other person in charge of any barber shop shall undertake

to treat any disease of the skin.

11. Unless requested to do so by the person served, no barber shall administer any drops of medicine to the eyes nor shall he administer in any other manner any medicine or treatment which administration is not distinctly a part of the profession of barbering.

12. Tweezers, needles, and all other instruments used for the removal of hair, blackheads, or the opening of pimples must be thoroughly sterilized in each case before being used on any individual, but no such instrument shall be

used without the previous consent of the person being served.

13. Every barber or other person in charge of any barber shop shall use separate and clean towels for each customer and shall, while serving said customer, wear washable outer linen or coat, which shall be at all times kept clean. After once used the towels must be discarded until laundered.

14. No barber shall permit any person to use the head rest of any barber's chair under his control unless the head rest is covered by a towel that has

been washed since last being used or by a clean new paper.

15. No barber shall shave any person when the surface to be shaved is inflamed or broken out or contains pus, unless such person is provided with a cup and shaving brush for his individual use.

16. Hairbrushes and combs must at all times be kept clean.

17. Every barber shall thoroughly cleanse his hands immediately before

serving each customer.

18. No barber shall, to stop the flow of blood, use alum or other material unless the same be used as a powder and applied with a clean towel or in liquid form.

19. All shaving cups and lathering brushes must be thoroughly cleaned with

hot water before using on any customer.

20. The use of finger bowls, sponges, lump alum, and powder puffs is prohibited.

21. All tools used upon a customer must be cleansed or sterilized in accordance with the instructions of the State board of barber examiners.

22. Master, journeyman, or apprentice license cards must be conspicuously displayed in front of the working chair.

23. The owner or manager of any barber shop shall post a copy of these rules and regulations in a conspicuous place in said shop.

24. License must be renewed on or before the 1st day of July each year

by payment of fee of \$5.

Instructions.—Tweezers, needles, and other instruments of this nature must be sterilized by immersing in scalding hot or boiling water, or in a 5 to 10 per cent solution of commercial formaldehyde and water for at least 30 minutes.

Combs and brushes must be cleansed each day, or oftener if necessary, by washing with hot water and soap or soda. Razors, shears, and clippers must be cleansed after each separate use thereof by washing in hot water and soap.

A violation of any of these regulations constitutes a misdemeanor punishable by a fine of not exceeding \$200 or by imprisonment for not more than 90 days or both.

Cosmetic Therapy—Creation of Board of—Sanitary Inspection of Establishments and Schools—License—Regulations Authorized—Certain Acts Prohibited. (Ch. 77, Act February 22, 1927)

Sec. 6. There is hereby created a board of cosmetic therapy, to be composed of four members, one member to be the superintendent of the State board of health, who shall be the ex officio chairman and three members to be appointed by the governor for terms of three years. * * * The State board of health member shall receive expenses only and no per diem. * * *

Sec. 7. The board * * * shall conduct inspections as to sanitation of establishments and schools.

SEC. 12. The board of cosmetic therapy shall refuse to issue any certificate of registration for the following causes:

(b) Practice by persons having communicable diseases.

(d) Habitual drunkenness, habitual addiction to the use of habit-forming drugs.

Sec. 13. The board of cosmetic therapy and hair dressing may adopt reasonable rules and regulations with the approval of the State board of health, relating to the enforcement of the provisions of this act. The board of cosmetic therapy and hair dressing, also the board of health, both of cities and State, shall have the power to enter such places during the business hours for the purpose of inspection and enforcement of the above regulations.

Sec. 17. Each of the following acts may be punishable upon conviction by a fine not exceeding \$25 or by revocation of license to practice under the provisions of this act.

(c) Failure to display a certificate of registration and certificate showing freedom from communicable diseases in a conspicuous place.

(d) Violation of the sanitary regulations.

Beauty Parlors—Sanitary Requirements. (Reg. Bd. of Cosmetic Therapy, Approved July 19 and December 13, 1927)

1. All persons practicing beauty culture as defined must provide a suitable place, equipped to give adequate service to patrons and subject to inspection by the constituted authorities.

2. The use of the beauty parlor as a living, dining, or sleeping apartment is prohibited. If a beauty parlor is located in a private residence or in connection with some business, a separate room must be provided for beauty parlor work.

3. The location of a beauty parlor in a building occupied or frequented by persons of an immoral character is prohibited. The use of a shop for immoral purposes shall be sufficient cause for forfeiture of a license.

4. Floors, walls, furniture, and other fixtures must be kept clean at all times. All bowls, basins, jars, etc., must be antiseptically cleansed immediately after using.

5. Every owner of any beauty parlor must supply hot and cold water in such quantities as may be necessary to conduct said beauty parlor in a sanitary manner.

6. No owner or manager of a beauty parlor shall permit any person suffering from a communicable disease, or from any venereal disease in a communicable form, to work in said beauty parlor.

7. Every person employed in a beauty parlor shall use separate and clean towels for each patron and shall, while serving said patron, wear washable

outer linen aprons, uniforms, or coats, which shall be kept clean.

8. After a towel has been used once it must be discarded until properly sterilized and laundered. Dipping used towels in receptacles containing hot water and using same on a patron is insanitary and strictly forbidden. All used towels must be boiled at least 10 minutes.

 No person employed in a beauty parlor shall use the headrest of any operating chair under his or her control unless the headrest is covered, and which cover has been washed since last being used; or covered by a clean

piece of paper toweling which must be renewed after each patron.

10. Combs, brushes, and other articles must be thoroughly cleansed and adequately sterilized. For this purpose, the board recommends the use of a phenol preparation properly diluted.

11. Glass or metal articles which can not be boiled must be cleansed in soap and water, wiped in alcohol and kept in a formaldehyde sterilizer, or immersed in an approved germicidal solution for not less than one hour.

12. No employee of any beauty parlor shall massage any person when the surface to be massaged is inflamed or broken out, or contains pus, unless said person is provided with clean sterilized instruments and cups by the owner of the shop, and the same are properly sterilized and cared for afterwards.

13. Every person engaged in a beauty parlor must thoroughly cleanse his

or her hands immediately before and after serving each patron.

14. All creams, lotions, and other cosmetics used for patrons must be kept in clean and closed containers.

15. Open powder boxes must not be used in a reception room for patrons, and

the powder must be in shakers or similar receptacles.

- 16. Creams and other semisolid substances must be dipped from the container with a sterile article or spatula. Removing such substances with the fingers is prohibited.
- 17. All persons engaged in a beauty or hairdressing parlor must display in a conspicuous place their license cards, together with their certificate showing freedom communicable diseases.

18. Continued negligence in observing rules and regulations shall justify the

revoking of a license.

19. Violation of the provisions of the act regulating the vocation of cosmetic therapy or beauty culture or the regulations adopted by the board is punishable by a fine not exceeding \$25 or by a revocation of license to practice under the provisions of the act.

TENNESSEE

Communicable Diseases-Definitions of Terms-Reports of Cases-Reports by Local Health Officers to State Department of Public Health-Hospitalization-Incubation Periods-Periods of Communicability-Placarding-Isolation-Quarantine-Disinfection-Exclusion from School and Public Places-Contacts-Carriers-Removal of Milk and Water Containers from Infected Premises-Sale and Handling of Milk and Other Food-Removal and Transportation of Cases—Funerals—Burial—Interference with Health Authorities Unlawful—Enforcement of Regulations. (Reg. Dept. of Public H., January 15, 1927)

DEFINITION OF TERMS

REGULATION 1. For the purpose of these regulations the words and terms used herein are defined as follows: (a) Carriers.—A carrier is one who harbors in his body the infectious agent of a communicable disease, but who at the time is apparently in good health, as distinguished from a clinical case.

(b) Contact .- A contact is a person or animal that has been sufficiently near to an infected person, animal, or thing to make possible the transmission of

the infectious agent to him.

(c) Cultures.—Cultures are growths of microorganisms in or upon artificial media, such cultures being obtained from body surfaces, secretions, or excretions for the purpose of determining the presence of disease-producing

(d) Disinfection.—Disinfection is the process of destroying the vitality of disease-producing organisms by physical or chemical means: (1) Concurrent disinfection signifies the immediate disinfection and disposal of body discharges, secretions, and articles infected therewith throughout the period during which the disease is communicable, all personal contact with such discharges or articles being prevented prior to complete disinfection.

(2) Terminal disinfection signifies disinfection and disposal of infectious material, including the personal clothing and immediate physical environment of the patient, just prior to the termination of quarantine, isolation, or

observation.

(e) Immune.—An immune person is one who is insusceptible to the influence of a particular infectious agent. Such insusceptibility occurs for a long or short period following the recovery from an attack of the disease, or successful vaccine or serum treatment.

(f) Incubation period.—The incubation period of a communicable disease is the interval which elapses between the entrance into the body of the infectious

agent and the manifestation of the first symptoms of the disease.

(g) Infectious agent.—An infectious agent is a living microorganism capable,

under favorable conditions, of causing a communicable disease.

(h) Isolation.—The term "isolation" means the separating of a person suffering from a communicable disease, or carriers of the infecting organism, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptibles. As used in these regulations the term "isolation" includes the term "quarantine" as used in the statutes.

(i) Local health officer.—The term "local health officer" means and includes the health authority having jurisdiction over a particular area and includes city, village, and county boards of health and health departments and the responsible executive officer of such board, and any person legally authorized

to act for such health authority.

(j) Period of communicability.—The period of communicability of a disease is

the time during which the infectious agent may be transmitted to others.

(k) Placard.—The term "placard" shall mean an official notice with the name of the disease appearing prominently thereon, which is posted as provided in these regulations as a warning of the presence of communicable disease. The placard shall be not less than 6 inches in width and 10 inches in length.

(1) Quarantine.—The term "quarantine" means the limitation of freedom of movement of persons or animals who have been exposed to a communicable disease for a period of time equal to the longest usual incubation period of the disease to which they have been exposed.

(m) Susceptible.-A susceptible is a person or animal who is not known

to be immune to a communicable disease.

NOTIFIABLE DISEASES

REGULATION 2. The following-named diseases are declared to be contagious, infectious, communicable, or dangerous to the public health and shall be notified in accordance with the provisions of the statutes and of these regulations.

Class I: Anthrax, botulism, chickenpox, cholera (Asiatic), diphtheria, dysentery (bacillary), epidemic encephalitis (lethargic), German measles, glanders, leprosy, Malta fever, measles, meningococcus meningitis (cerebrospinal fever), mumps, ophthalmia neonatorum (conjunctivitis of newborn), paratyphoid fever, plague, poliomyelitis (acute anterior), rabies, scarlet fever, septic sore throat (epidemic), smallpox, tularemia, typhoid fever, typhus fever, whooping cough, yellow fever.

Class II: Chancroid, gonorrhea, syphilis.

Class III: Actinomycosis, dengue, dysentery (amebic), erysipelas, hookworm disease, influenza, malaria, pellagra, pneumonia (all forms), puerperal septicemia, sprue, tetanus, trachoma, trichinosis, tuberculosis of the lungs, tuberculosis (not of the lungs).

PHYSICIANS MUST NOTIFY CASES

REGULATION 3. Whenever any physician examines or treats any person known or suspected by him to be suffering from or infected with any of the diseases declared to be notifiable by these regulations, he shall notify such diseases as follows: (a) For the diseases listed in Class I, regulation 2, notification shall be made immediately (within six hours), by telephone, in person, or by writing, to the local health officer of the municipality or county in which such disease exists, giving the name, age, sex, and address of the patient and the name of the known or suspected disease;

(b) For the diseases listed in Class II, regulation 2, notification shall be made as provided in chapter 106 of the public acts of 1921 of the general assembly, (by serial number, except under certain conditions), to the local health officer of the municipality or county in which such disease exists;

(c) For all of the diseases listed in regulation 2 (Class I, II, and III), notification shall be made each week to the local health officer who is an assistant collaborating epidemiologist in the United States Public Health Service for the municipality or county in which such physician resides, of all of the diseases which have come under his care during the week; such reports are to be made on forms supplied by the State department of public health for that purpose: Provided, That weekly notification may not be required, in the discretion of the State department of public health, from physicians in those municipalities or counties where immediate notification of all of the diseases, declared by these regulations to be notifiable, are received by the local health officer under the provisions of local ordinances, rules, or regulations.

HEALTH OFFICERS' REPORTS TO STATE

REGULATION 4. (a) All local health officers who are assistant collaborating epidemiologists shall forward on Saturday of each week a compiled report of all of the diseases notified to them during the current week to the State department of public health on such forms and in such manner as may be required by the State department of public health.

(b) Whenever any unusual disease occurs, whenever any of the diseases named in regulation 2 become unduly prevalent or epidemic, or whenever required by the State department of public health, special reports by telegram or telephone shall be made by the local health officer to the State department of public health of the facts and circumstances surrounding such disease.

¹ Supplement 45 to Public Health Reports, p. 540.

(c) All typhoid carriers as soon as discovered shall be reported by the local health officer to the State department of public health, giving the name, age, sex, address, and occupation of such carrier, and a further report shall be made whenever the address of such carrier is changed.

OTHER PERSONS MUST NOTIFY

REGULATION 5. Whenever no physician is in attendance it shall be the duty of the following-named persons to notify immediately the local health officer of the existence of any disease presumably communicable under the conditions herein specified: (a) Superintendents and teachers of public and private schools must notify all cases occurring at such schools, and must exclude from school all such cases and prohibit return thereto until a permit is granted by a licensed physician.

(b) Nurses must notify all cases that come under their observation.(c) The managing officers of all public and private institutions and jails must notify all cases at such institutions and jails.

(d) Keepers of hotels or lodging houses must notify all cases at such hotels

or lodging houses.

(e) Owners or managers of any dairy farm, dairy, or food establishment must notify all cases among their employees.

(f) Parents, guardians, and heads of households must notify all cases occur-

ring in their household.

(g) Midwives must notify any cases of inflamed eyes in babies within six hours.

DUTY OF PHYSICIANS

REGULATION 6. It shall be the duty of the attending physician, immediately upon discovering a case of communicable disease, to order such quarantine or isolation of the patient and concurrent disinfection as may be necessary to prevent its spread and as is prescribed by these regulations; and it shall be the duty of persons so ordered to comply with such instructions until they are otherwise instructed by the local health officer.

DUTIES OF HEALTH OFFICERS

REGULATION 7. Whenever any health officer is notified or has reason to believe that there is a case of a notifiable disease within his jurisdiction, he shall (a) either in person or through an authorized representative immediately inquire into the circumstances surrounding the occurrence of such disease to determine if possible the contacts, and the time, place, and source of infection.

(b) Establish and maintain quarantine, isolation, or such other methods of

control as are provided by law or these regulations.

(c) When notified that a communicable disease exists in any pupil or teacher at any school, forthwith inform the school authorities of such fact, and shall advise and require the school authorities to take the necessary steps to prevent the spread of such disease.

(d) Supply such information or literature to the head of the household as may be necessary to inform him of the measures to be taken to prevent the

spread of the disease.

DUTIES OF HOSPITAL AUTHORITIES

REGULATION 8. It shall be the duty of every superintendent or other person in charge of any hospital or sanatorium, as soon as any disease declared by these regulations to be notifiable occurs in is admitted to or is examined or treated at any such hospital or sanatorium (a) to notify all such diseases in the same manner as is provided by regulation 2.

(b) To ascertain, when possible, if the disease has been notified prior to admission, and to indicate that fact when the notification is made by the hos-

pital or sanatorium.

(c) To obey and enforce the provisions of these regulations which relate to the isolation or observation of cases and carriers and the quarantine of contacts of communicable diseases at such hospitals or sanatoriums.

(d) To permit the removal from the hospital or sanatorium of no case of any disease for which placarding is required by these regulations except upon approval of the local health officer as provided in regulation 25.

REMOVAL TO HOSPITAL OF CERTAIN CASES

REGULATION 9. When in the opinion of the local health officer proper isolation of any case or carrier or the proper quarantine of any case or contact of a communicable disease is not, or can not be, effectively maintained on the premises occupied by such person or persons by methods designated in these regulations, he may remove or require the removal of such person or persons to a hospital or other proper place designated by him; and it shall be the duty of all persons concerned to comply with the orders in reference to such removal.

OBSERVANCE OF ISOLATION AND QUARANTINE

REGULATION 10. (a) Every person who is infected with a communicable disease, who is a carrier of a communicable disease, or who is suspected of having come in contact directly or indirectly, with a case of communicable disease, shall strictly observe and comply with all orders, isolation and quarantine regulations and restrictions given or imposed by the local health officer or the State department of public health, in conformity with law and pursuant to these regulations.

(b) No person other than the attending physicians and authorized attendants shall enter, and no one shall permit any other person to enter, any room, apartment, or premises quarantined for a communicable disease without a written

permit from the local health officer.

(c) No person except the local health officer or his duly authorized agent shall remove or deface any placard.

GENERAL MEASURES FOR CONTROL OF PRESUMABLY COMMUNICABLE DISEASES

REGULATION 11. It shall be the duty of the health officer on receiving a report of a disease which may be communicable to confer with the physician or other person making such report, make further examination or investigation as he deems necessary, and establish such isolation or quarantine measures as may be necessary to protect public health until the disease is definitely determined not to be communicable.

INCUBATION PERIODS DECLARED

REGULATION 12. For the purpose of these regulations, the accepted periods of incubation of certain communicable diseases are hereby declared to be as follows, and shall be observed by health officers and physicians in controlling contacts and cases of presumably communicable diseases, except where other-

wise specified:

Chicken pox, 2 to 3 weeks; diphtheria (all forms), 2 to 7 days; dysentery (bacillary), 2 to 7 days; epidemic encephalitis (lethargic), 1 to 2 weeks; German measles, 14 to 21 days; influenza, 1 to 3 days; Malta fever, 6 to 16 days; measles, 7 to 18 days; meningococcus meningitis (cerebrospinal fever), 2 to 10 days; mumps, 12 to 26 days; paratyphoid fever, 4 to 21 days; pneumonia, 2 to 5 days; poliomyelitis (acute anterior), 3 to 10 days; scarlet fever, 2 to 7 days; septic sore throat (epidemic), 1 to 3 days; smallpox, 8 to 16 days; typhoid fever, 7 to 23 days; whooping cough, 5 to 10 days.

MINIMUM PERIODS OF COMMUNICABILITY DECLARED

REGULATION 13. For the purpose of these regulations, the minimum periods of communicability for clinical cases of the diseases named in this regulation are hereby declared to extend from the onset of the earliest symptoms to the time specified for each disease, and shall be observed by health officers and phy-

sicians in controlling cases of communicable disease:

Anthrax, until all lesions have healed; chicken pox, until primary scabs have disappeared; diphtheria, until two nose and throat cultures taken at least 24 hours apart and 12 days after onset show the absence of specific organism, or in the absence of laboratory methods of release, until 16 days after onset; dysentery (amebic), until specific amebae are no longer discharged; dysentery (bacillary), same as for typhoid fever; epidemic encephalitis (lethargie), until 1 week after onset; German measles, until 7 days from onset; gonorrhea, until discharges show the absence of the gonococci as provided by statute; in-

fluenza, until temperature has returned to normal: Malta fever, until organism is not found in the urine; measles, from early catarrhal symptoms to 7 days after eruption appears; meningococcus meningitis (cerebrospinal fever), until 14 days after onset; mumps, until 10 days from onset, or until glands have returned to normal; pneumonia, until 10 days after temperature has returned to normal; poliomyelitis (acute anterior), until 21 days after onset; puerperal septicemia, during clinical course; scarlet fever, from earliest symptoms to 3 weeks after appearance of eruption and until abnormal discharges have ceased; septic sore throat (epidemic), during clinical course; smallpox, until 16 days after eruption appears and until all primary crusts, especially on soles, are off and the primary lesions healed; syphilis, as provided by statute and as long as lesions of the skin or mucous membranes exist; trachoma, during the existence of active lesions; tuberculosis (all forms), as long as specific organism is discharged); typhoid and paratyphoid fevers, from appearance of earliest symp toms until 1 week after temperature has returned to normal, and when laboratory facilities are available, until two successive examinations of urine and feces, taken at least 1 month apart, show the absence of the infective organisms; whooping cough, from onset of catarrhal symptoms until 3 weeks after development of characteristic whoop.

METHODS OF ISOLATION OF CERTAIN DISEASES

REGULATION 14. The local health officer, upon receiving a report of a case of any disease designated in this regulation, shall promptly institute and maintain, during the period of communicability, such methods of control as are hereinafter designated.

(a) When the disease is anthrax, Asiatic cholera, glanders, leprosy, Malta fever, plague, tularemia, typhus fever, yellow fever the house or premises where such disease exists should be placarded, the case shall be isolated and attendants quarantined therein, contact between the patient and all except the necessary attendants shall be strictly prohibited, concurrent disinfection shall be practiced, and further specific directions shall be immediately requested by telegraph or telephone, from the State department of public health.

(b) When the disease is diphtheria, scarlet fever, smallpox the house or apartment where such disease exists shall be placarded, the patient shall be isolated and attendants quarantined therein, contact between the patient and all except the necessary attendants shall be strictly prohibited, and concurrent disinfection shall be practiced.

(c) When the disease is dysentery (bacillary), paratyphoid fever, typhoid fever the room occupied by the patient shall be placarded and effectually screened against flies, the patient shall be isolated in a room separate and apart from others in the household, concurrent disinfection shall be practiced, and contact with all except the necessary attendants shall be strictly prohibited until convalescence, and the patient shall then be continued under observation until negative laboratory examinations are secured as provided in regulation 13.

(d) When the disease is epidemic encephalitis (lethargic), measles, meningococcus meningitis (cerebrospinal fever), poliomyelitis (acute anterior), septic sore throat (epidemic), the room occupied by the patient shall be placarded, the patient shall be isolated, if possible, in a room separate and apart from other susceptible members of the household, and concurrent disinfection shall be practiced.

(e) When the disease is chicken pox, German measles, influenza, mumps, pneumonia, trachoma, whooping cough the patient shall be kept under observation, shall be excluded from school, public playgrounds, and all places of public assembly, shall refrain from contact with persons not known to be immune to the disease in question, and concurrent disinfection shall be practiced.

(f) When the disease is actinomycosis, erysipelas, ophthalmia neonatorum, dysentery (amebic), puerperal septicemia, rabies, sprue the patient should be held under adequate observation to insure that scrupulous concurrent disinfection of all articles soiled with the discharge of the patient is practiced.

(g) When the disease is chancroid, gonorrhea, syphilis, tuberculosis the premises shall be placarded and the patient isolated whenever the infected person fails or refuses to take the necessary measures to prevent the spread of the disease to others and as provided by the statutes: Provided, That when a health officer finds the methods designated ineffective in the control of any individual

case of communicable disease he is authorized to employ such additional restrictions as are proper for the protection of public health.

METHODS OF ISOLATION OF CONTACTS

REGULATION 15. It shall be the duty of the local health officer to institute and maintain measures for the control of contacts of chicken pox, diphtheria, epidemic encephalitis (lethargic), German measles, measles, meningococcus meningitis (cerebrospinal fever), mumps, poliomyelitis (acute anterior) scarlet rever, smallpox, whooping cough by the quarantine or observation of such contacts in the same manner as that prescribed for the disease to which the contact has been exposed, for a period of time equivalent to the maximum incubation period of the disease, unless laboratory methods determine the absence of the infecting agent at an earlier date: Provided, The health officer is authorized in his discretion to grant a provisional permit modifying the restrictions for contacts whenever in his judgment such action will not result in the spread of the disease.

METHODS OF ISOLATION OF CARRIERS

REGULATION 16. (a) Carriers of the infectious agents of diphtheria shall be isolated until two successive negative cultures, taken at least 24 hours apart, have been secured, or until the organisms shall in the judgment of the health officer be found to be nonvirulent.

(b) Carriers of the infectious agents of dysentery (bacillary), paratyphoid

fever, typhoid fever-

(1) Shall be instructed fully by the local health officer of the precautions necessary to protect others from infection.

(2) Shall not engage in any occupation involving the handling of milk, food, or drink for the use of others.

(3) Shall not discharge excreta (feces or urine) except into a water-closet or a sanitary privy.

(4) Shall not change their residence until the local health officer has been

notified of the new address.

(5) Shall be visited by the local health officer at least quarterly for the purpose of determining if these regulations are being observed.

(6) Shall be released from observation only upon approval of the State department of public health after repeated examinations under its direction indicate that the carrier state has ceased to exist.

CONCURRENT DISINFECTION

REGULATION 17. It shall be the duty of the attending physician and of the local health officer to give detailed instructions to the nurse or other person in attendance on a case of a communicable disease in regard to the disinfection and disposal of all discharges from the patient and of all articles contaminated directly and indirectly by contact with the patient, and it shall be the duty of the nurse, attendant, and head of the household faithfully to carry out such disinfection throughout the period of communicability.

TERMINAL DISINFECTION

REGULATION 18. It shall be the duty of the local health officer just prior to the release of a case of communicable disease to institute such terminal disinfection and cleansing as he may deem necessary as an added precaution, but terminal disinfection shall in no case be a substitute for concurrent disinfection throughout the course of the disease.

REMOVAL OF MILK AND WATER CONTAINERS PROHIBITED

REGULATION 19. It shall be the duty of the local health officer when there occurs in his jurisdiction a case or suspected case of diphtheria, dysentery (bacillary), epidemic encephalitis (lethargic), meningococcus meningitis (cerebrospinal fever), scarlet fever, septic sore throat (epidemic), smallpox, paratyphoid fever, poliomyelitis (acute anterior), typhoid fever, to forbid the removal of milk or water containers from the premises; and no person shall remove or permit the removal of any such container from the premises whereon there exists any one of the diseases mentioned herein until the termination of the

disease or the removal of the patient, at which time empty containers may be returned only after being sterilized in a manner approved by the local health officer.

COMMUNICABLE DISEASES AT DAIRY FARMS AND DAIRIES

REGULATION 20. Whenever any one of the diseases named in the preceding regulation (19) occurs on or in connection with any farm, dairy, or other establishment where milk, cream, or ice cream are produced or handled the local health officer shall—

(a) Prohibit the removal of milk or milk products from such farm, dairy, or other establishment unless the handling of milk and milk products be done in a manner which will preclude the possibility of contamination, and unless written approval of such removal is granted by the local health officer.

(b) If the milk or milk products are sold or consumed in another health jurisdiction, immediately report to the State department of public health, giving the name and location of such farm, dairy, or establishment and the place or places where certain products are sold or consumed.

FOOD AND FOOD HANDLERS RESTRICTED

RECULATION 21. When a case of any of the diseases mentioned in regulation 19, or a case of tuberculosis, gonorrhea, or syphilis occurs on the premises where milk or food is produced, kept, handled, or sold it shall be the duty of the health officer to institute such measures as he deems necessary to prevent the spread of such disease and to protect such foods from contamination.

EXCLUSION FROM SCHOOL FOR SPECIAL DISEASES

REGULATION 22. In addition to the diseases declared by these regulations to be notifiable it shall be the duty of the school authorities and the health officer having jurisdiction to exclude from any public or private school any child who is suffering from, or presumably is infected with, any of the following diseases: Contagious conjunctivitis (pink eye), favus, impetigo contagiosa, pediculosis, ringworm, scabies, or any suppurative disease of a foul or offensive nature.

REMOVAL OF CASES OF COMMUNICABLE DISEASES

REGULATION 23. No case of communicable disease may be removed from a house, hospital, or other premises occupied by such case, without the approval of the local health officer, and no such case shall be removed from one health jurisdiction to another without the approval of the local health officers of each jurisdiction: *Provided*, That approval for such removal shall be given only if necessary precautions are taken to safeguard against the spread of infection.

FUNERALS OF THOSE DEAD OF CERTAIN COMMUNICABLE DISEASES

REGULATION 24. Funerals of those dead of cholera (Asiatic), diphtheria, epidemic encephalitis (lethargic), glanders, leprosy, meningococcus meningitis (cerebrospinal fever), paratyphoid fever, plague, poliomyelitis (acute anterior), scarlet fever, septic sore throat, smallpox, tularemia, typhoid fever, typhus fever, when conducted in or on the premises where such deceased person died, shall be attended only by the members of the immediate household, the clergyman, and the undertaker with his assistants; when held from a place other than where such person died the health officer may, if the body has been embalmed and is permanently inclosed to his satisfaction, permit a public funeral, provided such persons as may be carriers of the infection by reason of contact shall be forbidden to attend such funeral. Bodies dead of the diseases mentioned, if not embalmed, must be buried within 24 hours.

LOCAL AUTHORITIES MAY MAKE ADDITIONAL REQUIREMENTS

REGULATION 25. These regulations shall be considered minimum requirements for the prevention and control of communicable diseases, and municipalities, local boards of health, or health departments are authorized to make and enforce such additional ordinances, rules or regulations as may be necessary, which are supplementary to but which shall not be in conflict with the provisions of these regulations.

[Regulation 26, relating to the transportation of persons having communicable diseases, reads the same as sections 1 to 10, inclusive, of the standard railway sanitary code (supplement 46 to Public Health Reports).]

OBSTRUCTING HEALTH OFFICERS

REGULATION 27. No person shall interfere with or obstruct the entrance to any house or premises, or the inspection or examination of any occupant thereof by any local health officer, his duly authorized agent, or a representative of the State department of public health, in the proper discharge of his official duties.

ENFORCEMENT

REGULATION 28. It shall be the duty of all local (municipal and county) boards of health, health departments, and health officers to obey and enforce the provisions of these regulations, and whenever any local board of health willfully neglects or refuses to comply with the provisions of these regulations, and it is apparent that an epidemic of a communicable disease is threatened to invade other municipalities or counties, it then becomes the duty of the State department of public health to carry out the provisions of the law in such municipality or county, and the necessary expense incurred shall be paid by the respective municipality or county.

PENALTY FOR VIOLATION

REGULATION 29. Any person mentioned in these regulations who shall willfully neglect or refuse to comply with any of the provisions of these regulations shall be guilty of a misdemeanor and shall be punished in a manner prescribed by law, and it is the duty of the district attorney to prosecute any violation of these regulations.

REPEAL OF THE CONFLICTING REGULATIONS

REGULATION 30. All rules, regulations, and by-laws of the State department of public health previously adopted which are in conflict with the provisions of these regulations are hereby repealed.

VALIDATION AND INDORSEMENT OF REGULATIONS

REGULATION 31. If for any reason any regulation or part of a regulation shall be held to be unconstitutional or invalid, then that fact shall not invalidate any other part of these regulations, but the same shall be enforced without reference to the part so held to be invalid.

Division of Tuberculosis Control—Establishment and Duties. State Tuberculosis Hospital Commission—Study of Problem of Tuberculosis Treatment and Control by. (Ch. 63, Act April 28, 1927)

Section 1. That there is hereby created and established a division of the department of public health, to be known as the division of tuberculosis control, which shall be organized and managed in the same way and manner as other divisions in the department of public health under the provisions of the present

law relating to that subject.

SEC. 2. That it shall be the duty of the department of public health, through the division of tuberculosis control, to maintain and operate a field nursing and instruction service such as the conditions respecting tuberculosis may warrant, either with part-time nurses in conjunction with other health work or full-time tuberculosis nurses, as the case may be, depending upon local conditions, and to take such means and measures as may best be deemed by said health department in the control and treatment of tubercular diseases. It shall also be the duty of the department of public health to cooperate with the Tennessee Tuberculosis Hospital Commission in the performance of its duties and to lend to said commission the help, aid, and assistance of the department of health in the promotion of the purposes of said commission as prescribed by law.

SEC. 3. That the Tennessee Tuberculosis Commission be directed to continue their study of the problem of treatment and control of tuberculosis and to sub-

mit to the next legislature plans for hospitalization if future study and investigation confirms their present opinion as to its necessity.

SEC. 4. That the department of public health be, and it is, authorized to make such reasonable rules and regulations as will enable it to carry out the purposes of this act.

SEC. 5. That there be, and is hereby, appropriated out of funds of the treasury not otherwise appropriated the sum of \$45,000 per annum for a period of two years to the department of public health and to be drawn upon the warrant of the commissioner of the department of public health, to be expended in creating, maintaining, and operating the division of tuberculosis control and for the expenses of the Tennessee Tuberculosis Hospital Commission.

Cattle—Prevention, Control, and Eradication of Tuberculosis in—Tuberculin Testing—Appraisal and Destruction When Tuberculous—Indemnity for Animals Destroyed Because Tuberculous. (Ch. 46, Act April 25, 1927)

Section 1. That the sum of \$25,000 be, and the same is hereby, appropriated annually to further enable the State veterinarian to control and eradicate bovine tuberculosis and establish modified accreditel [accredited] tuberculosisfree areas within the State.

Sec. 2. That the comptroller issue annually his warrant to the treasurer of the State of Tennessee not to exceed the sum of \$25,000 to be used by the State veterinarian for the purpose as above and hereinafter set out.

SEC. 3. That in order to enable the State veterinarian to control and extirpate bovine tuberculosis more effectively, and to aid him in establishing and maintaining within the State modified accrediate [accredited] tuberculosis-free areas, and to prevent the spread of the disease, county courts shall, upon presentation of a petition signed by not less than 75 per cent of the cattle owners of any county, make an appropriation of such sum of money as may be required, not to exceed \$4,000, which sum shall be used in assisting the State veterinarian and the United States Bureau of Animal Industry in the employment of inspectors to apply tuberculin tests to all the cattle within said county.

Sec. 4. That whenever such appropriation shall have been made by the county court of any county the court of such county shall enter into a contract with the State veterinarian for the employment of a veterinary inspector or veterinary inspectors who shall be a graduate or graduates of a veterinary college whose graduates are eligible to the position of veterinary inspector in the United States Bureau of Animal Industry, accredited, and licensed to practice veterinary medicine in the State of Tennessee. All inspectors so employed shall meet the requirements of and shall operate at all times under the direct supervision of and be subject to the control of the State veterinarian and the inspector in charge of the United States Bureau of Animal Industry within the State.

SEC. 5. That the inspector, or inspectors, so employed shall receive out of any money so appropriated a salary at the rate of \$2,400 per annum, together with all necessary expenses incurred by him or them in the discharge of his or their official duties. Said inspector or inspectors shall file monthly with the county court clerk of the county where employed a sworn statement showing the number of days engaged and the amount of expense incurred in the performance of his or their official duties, and the county court clerk shall, after such claims have been approved, draw a warrant or warrants on the county treasurer, who shall pay the same. Said inspectors shall only be paid for the number of days they are actually engaged in performing their duties under the provisions of this act.

SEC. 6. That when it shall appear from the records of the State veterinarian or the local office of the United States Bureau of Animal Industry that 75 per cent of all the cattle in any county have been tuberculin tested under the supervision of the State and Federal Governments, it shall then become mandatory upon the owners of the remaining 25 per cent of the cattle in such county to submit their cattle to a tuberculin test under such supervision. Should the owner of any herd of cattle constituting any portion of the 25 per cent remaining untested fail or refuse to submit his herd, or any portion of it, to a tuberculin test as herein provided, it shall become the duty of the State veterinarian to issue such quarantine regulations as will effectually control the movement of such untested cattle and their products.

SEC. 7. That the State veterinarian or his duly authorized agent is hereby empowered to enter upon any premise, barn, stable, shed, or other place where

cattle are housed or kept for the purpose of applying tests with tuberculin to ascertain whether or not the animals so tested are affected with tuberculosis; and the owners of such cattle shall render such reasonable assistance as may be required to enable the State veterinarian or his agent to apply the test with

accuracy and dispatch.

SEC. 8. That all cattle which have heretofore or shall hereafter react to a tuberculin test shall immediately on such reaction be marked by branding on the left jaw with the letter "T," said letter to be not less than 2 inches or more than 3 inches in length, and shall be tagged in the left ear with a special tag to be adopted by the State veterinarian, and all cattle so identified shall be slaughtered within a period of 30 days immediately following such reaction, such slaughter to be under the direction of the State veterinarian and in packing establishments where Federal meat inspection is maintained; and the owners thereof shall be indemnified for such animals so slaughtered in accordance with the provisions of the act of 1913, pages 8 and 9, chapter 5, or as said act may be hereinafter amended by law; Provided, That in special and meritorious cases the State veterinarian may grant an extension of time for such slaughter.

Sec. 9. That whenever the work of tuberculosis eradication in any county shall have been undertaken in conformity with the provisions of this act the State veterinarian shall issue and cause to be enforced such quarantine regulations as may be required to prevent the introduction into and the spread within such county of bovine tuberculosis. It shall be the duty of sheriffs, constables, prosecuting attorneys, and their deputies within their respective jurisdictions to render all necessary assistance to enable the State veterinarian or

his duly authorized agent to enforce the provisions of this act.

All powers under this act committed to the State veterinarian and all duties authorized to be performed by him shall be done by and with the approval and consent of the commissioner of agriculture.

Sec. 10. That the violation of any of the provisions of this act is hereby made a misdemeanor and shall be punishable by a fine of not less than \$25 or by imprisonment in the county jail for not more than 60 days, or by both such fine and imprisonment for each offense,

Tuberculin and Other Tests—Authority of Licensed Veterinarians to Make—Acceptance of Certificates of Licensed Veterinarians Regarding. (Ch. 25, Act April 11, 1927)

Section 1. That all accredited veterinarians who have received and hold certificates of license from the State board of veterinary medical examiners of this State authorizing them to practice the profession of veterinary medicine or surgery, or both, in this State, and who are in good standing in their profession, shall be, and they are hereby, authorized and empowered to make all necessary and required tests, including what is known as the tuberculin test, for tuberculosis infection of cows and dairy herds of cattle from which milk and

other dairy products are sold in this State.

SEC. 2. That the certificates of such practitioners of veterinary medicine or surgery showing the making of and the results of such tuberculin tests and other tests shall be accepted by all boards of health, health officers, or other officers or agencies charged with like duties of all towns, counties, and cities of this State, as evidence of the facts shown thereby, without other or further inspection or tests, and the owners of such cows and dairy herds who hold such certificates of such practitioners of veterinary medicine or surgery made within the required period of time shall not be required to have other or further inspections made or to produce other certificates or evidence of such inspection or of the condition of such cows and dairy herds.

Sec. 3. That this act shall not be construed as being in conflict with State and Federal cooperative tuberculosis eradication work and certificates of tests issued under this plan shall receive full recognition of the provisions in this act.

Animals to Be Destroyed—Appraisal—Indemnity for. (Ch. 7, Act February 4, 1927)

[This act amends section 10 (as amended by ch. 5, laws of 1913) of chapter 156, laws of 1901, to read as follows:]

That whenever in the opinion of the State veterinarian the public safety demands the destruction of any animal or animals under the provisions of this act he or his agent shall, before ordering the killing of the same, appoint three

competent and disinterested freeholders, who shall be residents of the county in which the cattle in question are located, said freeholders not to be related to the owner by affinity or consanguinity, who shall make a just and true valuation of said animal or animals to be so killed or slaughtered, and in valuing the same shall consider the health and condition of the animal when killed, giving due consideration to their breeding value as well as to their dairy or meat value. In no case payment by the State as compensation for any tuberculous animal destroyed shall exceed one-third of the difference between the appraised value of such an mal and value of the salvage thereof, and in no case shall the owner be awarded in excess of \$50 per cow and \$65 for a horse or mule, except in the case of purebred cattle and horses, when the pedigree shall be proven by certification of registry from the herd or record books where registered, in which case the maximum amount to be paid shall not exceed \$100. The board of appraisers shall make a written certificate, including the market or appraised value of aforesaid and the indemnity value or payment to the owner, and shall deliver the same to the owner for presentation to the State veterinarian for payment. It shall be the duty of the State veterinarian, upon proofs of an appraisal from the owner, made by a board of appraisers as aforesaid, to draw his voucher on the comptroller for the payment thereof: Provided, That no indemnity provided for herein shall be paid unless and until the owner has complied with the laws and requirements of the United States Department of Agriculture, Bureau of Animal Industry.

There is hereby appropriated out of the treasury of the State for the purpose of creating a fund for the payment of vouchers drawn and to be drawn as aforesaid by the State veterinarian, the sum of \$25,000 annually hereafter: Provided. If the vouchers drawn against this fund in any one year shall amount to less than the annual appropriation aforesaid the residue shall revert to the

treasury.

Water Supplies-Construction, Alteration, Extension, and Operation of Systems-Protection from Contamination-Cross Connections, Auxiliary Intakes, and By-Passes. Sewerage Systems—Construction, Alteration, Extension, and Operation. Industrial Waste—Collection, Treatment, and Disposal. Waters-Control of Pollution. (Reg. Dept. of Public H., November 1, 1927)

REGULATION 32. GOVERNING THE INSTALLATION, EXTENSION, AND OPERATION OF PUBLIC WATER SUPPLIES

Section 1 (a) Public water supply.—The term "public water supply" shall mean any and all water-supply systems or other means of conveying water to consumers, whether privately or municipally owned, where water is furnished to any community, collection, or number of individuals for a fee or charge.

(b) Water supply.—The term "water supply" shall mean the source from which the water is obtained, the waterworks, and all matters or items which

may in any way pertain to the system.

(c) Waterworks.—The term "waterworks" shall mean all structures, conduits, and appurtenances by means of which the water is collected, treated, and delivered to consumers, except the service pipes from the street main to the building and the piping and fixtures inside the building served.

(d) Owner.—The term "owner" shall mean the municipality, corporation,

company, firm, or individual owning, controlling, or operating the water supply.

APPROVAL OF PLANS REQUIRED FOR PUBLIC WATER SUPPLY

Sec. 2. Submission of preliminary plans.—Before detailed plans and specifications for new construction or improvements are prepared, the owner or his authorized agent shall submit to the State department of public health a statement concerning the proposed construction or improvements, together with copies of such preliminary plans and reports as have been made, whereupon the department will outline the general requirements, conformity with which will meet with its approval.

SEC. 3. Submission of plans .- Every owner or his authorized agent shall submit to the State department of public health a certified copy, in triplicate, of complete plans and specifications of any proposed new water supply and such other pertinent data as may be required; also of any auxiliary water supply and of any material alterations or extensions to an existing water supply, and receive the written approval of the department before construction is commenced

Sec. 4. Construction in accordance with plans.—All waterworks or extensions thereto shall be constructed in accordance with the approved plans and specifications: Provided, That in case it shall become necessary or desirable to make any material changes or alterations in the original plans, revised plans and specifications, together with a statement of the reasons for the changes or alterations, shall first be submitted to and approved in writing by the State department of public health.

Sec. 5. Submission of water samples.—In connection with the development of public water supplies the owner or his authorized agent shall submit such samples of water to the State department of public health as that department

may direct.

SUPERVISION OVER OPERATION OF PUBLIC WATER SUPPLIES

Sec. 6. Submission of records and samples.—(a) The owner or his authorized agent shall keep such records of operation as the State department of public health may direct, and shall submit copies of these regulations [records?] to the department each month.

(b) Such samples of water shall be submitted by the owner or his authorized agent to the State department of public health for examination as that depart-

ment may direct.

Sec. 7. Recommendations to be carried out.—If after careful investigations the State department of public health finds that any water supply is in any way a menace to health on account of defective design, inadequacy, incompetent supervision, or inefficient operation, or if the water is otherwise unsatisfactory for drinking or domestic purposes, such alterations and additions to the design or the equipment, or such changes in the operation of the plant as are deemed necessary to produce satisfactory results shall be made in accordance with the recommendations of and within the time limit set by the State department of public health.

REGULATION 33. GOVERNING THE SANITATION OF WATERSHEDS OF A PUBLIC WATER SUPPLY

Section 1. Special rules may be enacted.—The State department of public health will, when it appears desirable because of local conditions, enact special rules and regulations for the protection from contamination of the watershed from which any specific public water supply is derived. These rules and regulations will deal with the methods of sewage and waste disposal and other matter in so far as they may affect the sanitary quality of the water tributary to the supply.

SEC. 2. Expense borne by.—Where the enforcement of these rules and regulations causes any damages to or alterations in existing property the expense thereof may be borne by the owner of the water supply benefited, but such ordinary sanitary conveniences as are required to prevent pollution of the watercourses to such an extent as to interfere with the rights of riparian bwners must be provided and maintained by the owner of the property whereon

the violation of the rules exists.

SEC. 3. Inspections required.—Where special rules and regulations have been promulgated it shall be the duty of the owner of the water supply to make such inspections as are necessary from time to time to determine whether these rules and regulations are being complied with, and should any violation be discovered to notify the State department of public health in writing of the existence of such violation, whereupon after verification of the violation by a representative of the State department of public health, the necessary steps to secure its abatement will be taken by the department.

REGULATION 34. GOVERNING CROSS CONNECTIONS, AUXILIARY INTAKES, AND BY-PASSES BETWEEN POTABLE PUBLIC WATER SUPPLIES AND SUPPLIES FROM OTHER SOURCES

Section 1. Definitions.—(a) Cross connection: The term "cross connection" shall mean any physical connection whereby a potable water supply system in connection [is connected?] with another water-supply system whether public or private, either inside or outside of any building or buildings, in such manner

that a flow of water into the potable supply is possible, either through the manipulation of valves or because of ineffective check or back-pressure valves.

(b) Auxiliary intake: The term "auxiliary intake" shall mean any piping connection or device whereby water may be secured from a source other than that normally used.

(c) By-pass: The term "by-pass" shall mean any system of piping or arrangement whereby the water may be diverted around any part or portion of

a water-purification system.

SEC. 2. Certain cross connections between water supplies not permitted.—

(a) No officer, board, corporation, or other person or group of persons owning or having the management or control of any public water supply as defined in the regulations of the State department of public health shall permit after January 1, 1928, any physical connection between the distribution system of such supply and that of any other water supply, unless such other water supply is approved by the State department of public health. This prohibition shall apply to all water-distribution systems either inside or outside of any building or buildings: Provided, Where any such physical connection existing on January 1, 1928, shall include two gate valves with indicator posts, two check valves, of a design approved by the State department of public health with drip cock gauges for testing, all located in a vault of water-tight construction, readily accessible for periodic inspection, the date of discontinuance may be extended to July 1, 1929.

(b) If a potable water supply is used as an auxiliary supply delivered to an elevated tank or to a suction tank, which tank is also supplied with water from a source with which cross connections are not permitted by this regulation (sec. 2 (a)), such tank shall be opened to atmospheric pressure and the potable water supply shall be discharged at an elevation above the maximum highwater line of the tank,

SEC. 3. Auxiliary intakes.—No auxiliary intake or connection whereby a private, auxiliary, or emergency water supply other than the regular public water supply may enter said public supply or distributing system shall be permitted, unless such private, auxiliary, or emergency supply, the method of connection, and the use of such supply shall have been approved by the State department of public health.

SEC. 4. By-passes.—After January 1, 1928, no system of piping or arrangement whereby water may be diverted around any part or portion of a water-purification plant shall be permitted, unless such by-pass shall have been supposed by the State department of public baseline.

approved by the State department of public health.

Sec. 5. Nonpotable water to be rendered unavailable for drinking.—No water supply shall be used nor water therefrom rendered available for drinking or for other personal or domestic purposes, either inside or outside of any building or group of buildings, unless such supply is of a sanitary quality approved by the State department of public health. If a water supply for industrial or fire-protection purposes is obtained entirely or in part from a source not approved for drinking purposes, this supply shall be distributed through an independent piping system having no connection with the systems for drinking and other domestic use.

REGULATION 35. GOVERNING THE CONTROL OF QUASI PUBLIC WATER SUPPLIES

Section 1. Definition.—Quasi public water supplies are defined as all drinking-water supplies available to the general public not included under the regu-

lations governing public water supplies.

Sec. 2. Control.—If after careful investigation the State department of public health finds that any quasi public water supply is in any way a menace to health, or if the water is otherwise unsatisfactory for drinking purposes, such alterations or changes as are deemed necessary to produce a safe drinking water shall be made in accordance with recommendation of and within the time limits set by the State department of public health.

Sec. 3. Submission of samples of water for examination.—Samples of water from such supplies shall be submitted by the owner to the laboratory of the

State department of public health as that department may direct.

REGULATION 36. GOVERNING THE INSTALLATION, EXTENSION, AND OPERATION OF PUBLIC SEWERAGE SYSTEMS

Section 1. Definitions and terms.—(a) Sewerage or sewerage system: The term "sewerage or sewerage systems" shall mean the conduits, sewers, or col-

lecting system, the treatment or disposal works, and all appurtenances by means of which the sewage is collected, treated, and disposed of finally.

(b) Sewage: The term "sewage" shall mean all water-carried wastes from residences, buildings, and industrial establishments, together with such ground, synface, or storm water as may be present.

surface, or storm water as may be present.

(c) Sewer system: The term "sewer system" shall mean the system of sewers or conduits by means of which the sewage is collected and conveyed to the point of disposal.

(d) Sewage-disposal works: The term "sewage-disposal works" shall mean all devices and appurtenances by which sewage is pumped or subjected to treat-

ment processes prior to its final discharge at the point of disposal.

(e) Stream or watercourse: The term "stream or watercourse" shall mean any natural or artificial drain that conveys water either continuously or intermittently.

(f) Owner: The term "owner" shall mean the municipality, corporation, company, firm, or individual owning, controlling, or operating the sewerage system.

APPROVAL OF PLANS REQUIRED FOR PUBLIC SEWERAGE SYSTEMS

Sec. 2. Preliminary report required.—Before detailed plans and specifications for new construction or improvements are prepared the owner or his authorized agent shall submit to the State department of public health a preliminary statement concerning the construction or improvements to be made together with such preliminary plans and reports as have been made, whereupon the department will outline the general requirements, conformity with which will meet with its approval.

Sec. 3. Submission of plans.—Every owner or his authorized agent shall submit to the State department of public health a certified copy, in triplicate, of complete plans and specifications of any proposed new sewerage system, and such other pertinent data as may be required, also of any auxiliary sewerage system, and of any material alterations or extensions to sewerage systems, and receive the written approval of the department before construction is com-

menced.

Sec. 4. Construction in accordance with plans.—All sewerage systems and extensions thereto shall be constructed in accordance with the approved plans and specifications: Provided, That in case it shall become necessary or desirable to make any material changes or alterations in the original plans, revised plans, and specifications, together with a statement of the reasons for the changes or alterations, shall first be submitted to and approved in writing by the State department of public health.

SUPERVISION OVER OPERATION OF PUBLIC SEWERAGE SYSTEMS

Sec. 5. Records and samples to be submitted.—(a) The owner or his authorized agent shall keep such records of operation as the State department of public health may direct and shall submit copies of these records to the State department of public health as may be directed by that department.

(b) Such samples of water or sewage shall be submitted by the owner or his authorized agent to the State department of public health for examination

as that department may direct.

SEC. 6. Recommendations to be carried out.—If after careful investigation the State department of public health finds that any sewerage system is of [in] any way a menace to health on account of defective design, inadequacy, incompetent supervision, or inefficient operation, or the sewage effluent is such as to cause other unsatisfactory conditions, such alterations and additions to the design or the equipment or changes in the operation of the plant as are necessary to produce satisfactory results shall be made in accordance with recommendations of and within the time limits set by the State department of public health.

REGULATION 37. GOVERNING THE DISPOSAL OF INDUSTRIAL WASTE

Section 1. Definition.—For the purpose of this regulation, industrial wastes shall be construed to mean water carried by liquid wastes resulting from any process of industry, manufacture, trade, business, or development of any natural resource.

Sec. 2. Submission of plans.—No city, village, county, public institution, corporation, or officer or employee thereof, or other person, shall establish as owner, agent or employee, lessee or tenant, any garbage-disposal plant, shop, factory, mill, industrial establishment, process, trade, or business in the operation of which an industrial waste is produced, or make a change in or an enlargement thereof, whereby an industrial waste is produced or materially increased or changed in character, or install works for the treatment or disposal of any such waste until the plans for the disposal of such wastes have been submitted to and approved by the State department of public health.

SEC. 3. Supervision.—(a) The State department of public health will exercise such supervision of the disposal of industrial wastes and the operation and maintenance of works or means installed for the collection, treatment, or disposal of industrial wastes as may be deemed necessary in the interest of

public health and welfare.

(b) For the purpose of exercising such supervision, the State department of public health will investigate the works or means employed in the collection, treatment, and disposal of industrial wastes whenever such investigation is deemed necessary by the department or is requested by proper State or local officials. The State department of public health will adopt and enforce orders and regulations governing the operation and maintenance of such works or means and will require the submission of records and data of construction, operation, [and] maintenance, including plans and descriptions of existing works or means of disposal of such wastes. When the State department of public health shall require the submission of such records or information, the officials, or person, firm, or corporation having the works in charge shall promptly comply with such order.

(c) The State department of public health will not exercise any authority under the provisions of this section in any municipal corporation wherein ordinances or resolutions have been adopted and are being enforced by the proper authorities to make effective the provisions of these regulations.

REGULATION 38. GOVERNING THE POLLUTION OF STREAMS AND CONTROL THEREOF

If after careful investigation by the State department of public health of any stream, lake, or other body of water within the State or forming the boundaries thereof, it is found that the entrance of sewage or industrial wastes are [is] contributing sufficient pollution to endanger the public health and welfare, and the correction thereof is both possible and practicable, the department will adopt and enforce such special regulations as it may deem necessary for the protection of the public health and welfare.

Permanent Improvement Fund—Setting Up and Maintenance by Cemetery Corporations—Reports to and by State Registrar of Vital Statistics. (Ch. 75, Act April 27, 1927)

Section 1. That it shall be the duty of each cemetery corporation chartered under the laws of the State of Tennesse since the passage of chapter 142 of the public acts of 1875 and doing business in said State, to set up and forever maintain a permanent improvement fund equal in amount to 25 per cent of the total gross sum paid to such cemetery corporation by purchasers of lots in said cemetery, which fund shall be loaned or invested by such cemetery corporation, with the board of directors approving each loan or investment, so as to yield the best interest rate or return on the investment obtainable; and the interest on said improvement fund shall be used and expended by the officers and directors of such cemetery corporation for the permanent improvement, upkeep, and beautification of such cemetery, and for no other purpose. No part of the permanent improvement fund herein provided for shall be invested by the officers and board of directors of such cemetery corporation, except in notes secured by approved first mortgages on real estate, or by the purchase of interest-bearing bonds of the United States Government, or of the State of Tennessee, or of any county or municipality of said State.

SEC. 2. That each cemetery corporation already chartered under the laws of the State of Tennessee prior to the passage of this act and since 1875, and now doing business in Tennessee, shall be required to set up and maintain a permanent improvement fund equal in amount to 25 per cent of the gross sum already paid to such cemetery corporation by the purchasers of lots in said

cemetery, which improvement fund shall be invested and the interest thereon used and expended as provided in section 1 hereof, this requirement already being in effect under the provisions of section 9 of chapter 142 of the Acts of the General Assembly of the State of Tennessee for the year 1875.

Sec. 3. That it shall be the duty of the officers and directors of each cemetery corporation chartered under the laws of the State of Tennessee and doing business in the State to annually make, in writing, and file with the clerk of the county court in the county in which such cemetery is located a report, in duplicate, showing the following:

(a) The name of the cemetery corporation, location of the cemetery, and date

of incorporation.

(b) Names of various lot owners in the cemetery and gross amount paid to corporation for each lot, and total amount received by corporation to date of report from sales of all lots.

And annually after the first report hereunder the report shall contain the names of all persons acquiring lots since the last annual report and the re-

spective amounts paid therefor.

(c) The amount of the permanent improvement fund set up and how loaned or invested, and the amount of income for previous year received by corporation or [on?] improvement fund.

(d) Number of acres embraced within each cemetery and held by the cor-

poration for cemetery purposes.

Such report shall be filed with the county court clerk some time between September 1 and October 1 of each year and shall be sworn to by some officer of the corporation familiar with the corporation's books, and the affidavit to said report shall state that the information therein contained is true and correct, as affiant verily believes, and as reflected by the books of the corporation.

When such report is made to the county court clerk it shall be his duty to file one copy thereof as a part of the permanent records of his office in a place designated and set aside for that purpose, and this report so filed shall be a public record, and the county court clerk shall, not later than December 1 of each year, transmit the other copy of said report to the State registrar of vital statistics at Nashville, Tenn., by whom it shall be filed and safely preserved.

SEC. 4. That the State registrar of vital statistics shall annually, on or before January 1 of each year, from the reports filed with him as aforesaid, prepare and transmit to the head of the department of health of the State a report

showing:

(a) The name of each cemetery corporation in the State, and the county where located.

(b) The gross amount paid to the corporation by purchasers of lots. (c) Amount of permanent improvement fund set up and how invested.

(d) Names [sic] and location of any cemetery corporation which has failed to comply with the provisions of this act.

(e) Such recommendations to secure compliance herewith as may appear proper.

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Dogs-Immunization Against Rabies. (Ch. 146, Act March 25, 1927)

Section 1. No law of this State shall prevent any person from vaccinating, inoculating, or treating his own hogs or for any person employed as county demonstration agent from vaccinating, inoculating, or treating any hogs in the county where he is employed with hog-cholera virus or serum or other remedy, or dogs with any serum or virus that will prevent rabies, and any law in conflict with this act is hereby repealed.

State Department of Health-Establishment-How Constituted-Acceptance by, of Donations Authorized. State Board of Health-Appointment, Meetings, Compensation, Powers, and Duties. State Health Officer-Appointment, Salary, Powers, and Duties-Execution of Bond by. Acting State Health Officer-Designation, Powers, and Duties. Public Health Work-Counties Authorized to Appropriate and Expend Money for. (Ch. 42, Act June 9, 1927)

SECTION 1. To better protect and promote the health of the people of Texas, there is hereby established the State department of health, which department shall consist of a State board of health, a State health officer, and his administrative staff, and which shall have the general powers and duties authorized and imposed by the provisions of this act.

Sec. 2. Composition of State board of health, appointment, term of office.-The State board of health shall consist of six members, who shall be appointed by the governor and confirmed by the senate, and who shall have the following qualifications: All of the members shall be legally qualified, practicing physicians, who shall have had not less than five years' experience in the actual practice of medicine within the State of Texas, of good professional standing, and graduates of recognized medical colleges. Of the six members of the board first appointed under the provisions of this act, two shall serve for a period of two years, two for a period of four years, and two for a period of six years, or until their successors shall be appointed and shall have qualified, unless sooner removed for cause. Immediately after this act becomes effective the governor shall appoint six members to constitute the new State board of health created by th's act, and in the act of appointment shall designate the respective terms of the members first appointed. The terms of office of the members of the State board of health shall be six years after the terms of the members first appointed shall have expired. The State health officer shall be a member ex officio and shall act as chairman of the State board of health, but shall not have the right to vote as a member of such board except in cases of a tie vote; Provided, That in no event shall he be entitled to a vote in the matter of selecting the State health officer.

Sec. 3. Organization and meetings of the State board of health.—A majority of the members of the State board of health, exclusive of the member ex officio, shall constitute a quorum for the transaction of business. The board shall elect one of its members a vice chairman, who shall proceed in the absence of the chairman. The board shall meet at Austin quarterly, on a date to be fixed by the board, and shall hold such special meetings as may be called by the State health officer or any two members of the board. Timely notice of such special

meetings shall be given to each member.

Sec. 4. Compensation of members of State board of health.—The six members of the State board of health, excepting the member ex officio, shall receive no fixed salary, but each member shall be allowed, for each and every day in attending the meetings of the board, the sum of \$20, including time spent in travel to and from such meetings, and said members shall be allowed traveling and other necessary expenses while in the performance of official duty, to be evidenced by vouchers approved by the State health officer, provided no member shall receive more than \$500 annually, including expenses. The members of

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the State board of health and the State health officer shall qualify by taking the constitutional oath of office before an officer authorized to administer oaths within this State, and upon presentation of such oath of office, together with the certificate of their appointment, the secretary of state shall issue commissions to them, which shall be evidence of their authority to act as such.

SEC. 5. Powers and duties of the State board of health .- The State board of

health shall have the following powers and duties:

1. To elect by a majority vote of the whole membership of the board a State health officer, who shall be executive of the State department of health, subject to the further provisions of this act; and to suspend or remove said officer for good and sufficient cause, sustained by a majority of the board membership: Provided, That said officer shall not be removed until he has been given a hearing before said board, if he so elects. Immediately after the appointment of a new State board of health, as provided in this act, said board shall organize and appoint a State health officer, who shall serve as such, unless sooner removed as above provided, until the last regular quarterly meeting of the board in 1928; and at such meeting, and every two years thereafter, the State board of health shall appoint a State health officer, who shall serve, unless sooner removed as above provided, for a term of two years and until his successor shall be appointed and shall have qualified.

2. To investigate the conduct of the work of the State department of health,

2. To investigate the conduct of the work of the State department of health, and for this purpose to have access at any time to all books and records thereof and to require written or oral information from any officer or employee thereof.

To adopt rules, not inconsistent with law, for its own procedure, a copy of which rules shall be filed in the State department of health.

SEC. 6. State health officer, qualifications, appointment, compensation.—The State health officer shall be a legally qualified physician, who shall have had not less than five years' experience in the actual practice of medicine within the State of Texas, of good professional standing, and a graduate of a recognized medical college. The State health officer shall be the executive head of the State department of health; he shall devote his whole time to the duties of this office and shall not engage in the private practice of medicine during his term of office. He shall receive an annual salary of \$4,500, and shall be allowed his actual traveling expenses while in the performance of official duties away from the capitol, to be evidenced by vouchers approved by the State board of health: Provided, That he shall be permitted to charge against his traveling expense account any expenses incurred in travel outside of this State on official business, said out-of-State traveling expenses not to exceed \$500 per annum.

SEC. 7. State health officer to execute bond.—The State health officer shall execute a bond in the sum of \$10,000, payable to the governor, with two or more good and sufficient sureties thereon, or with some surety company authorized to do business in this State as surety, conditioned for the faithful performance of his official duties, the bond to be approved by the governor and filed in the

office of the secretary of state.

SEC. 8. Duties of the State health officer.-The State health officer shall be the executive head of the State department of health, and he shall, subject to the provisions of this act, exercise all the powers and discharge all the duties now vested by law in the Texas State Department of Health and the State health officer, as well as all powers now vested by law in any officer, assistant, director, or bureau head of the State department of health, excepting only such powers as may be conferred by this act upon the State board of health hereby created. The State health officer, with the approval of the State board of health, may organize and maintain within his department such divisions of service as are deemed necessary for the efficient conduct of the work of the department. From time to time he shall appoint directors of such divisions, as well as other employees of the department, and shall designate the duties and supervise the work of all such directors and employees. He shall have the power, with the approval of the State board of health, to prescribe and promulgate such administrative rules and regulations not inconsistent with any law of the State as may be deemed necessary for the effective performance of the duties imposed by this or any other law upon the State department of health and its several officers and divisions.

Sec. 9. Acting State health officer.—The State health officer, with the approval of the State board of health, shall from time to time designate one of the directors of the department divisions who is a legally qualified physician as acting State health officer, and the person so designated shall have the full

authority and perform the duties of the State health officer in the event of his

absence from the capitol or inability to act.

Sec. 10. It shall be lawful for the State department of health to accept donations and contributions, to be expended in the interest of the public health and the enforcement of public health laws. The commissioners court of any county shall have the authority to appropriate and expend money from the general revenues of its county for and in behalf of public health and sanitation within its county.

SEC. 11. Articles 4414, 4415, 4416, 4417, and 4418, Revised Civil Statutes of 1925, are hereby repealed; article 4465, Revised Civil Statutes of 1925, is hereby repealed; and the powers and duties vested by chapter 3 of title 71, R. S. 1925, in the director of the food and drug division of the State department of health are hereby vested in the State health officer, to be hereafter exercised by him or by a division director within his department and subject to his control under the terms of this act. All other laws or parts of laws now in force relating to the State health department, the State board of health, and the State health officer and all other laws relating to public health, sanitation, and the control and prevention of communicable, contagious, and infectious diseases shall remain in full force and effect, except in so far as the same may be in conflict with the provisions of this act.

Sec. 12. If any particular section or part of this act shall be held unconstitutional or inoperative for any reason, it shall not affect any other section or part of the act, and the remainder of the act, save the part or section declared unconstitutional or inoperative, shall continue in full force and effect.

Graduate Registered Nurses—Employment by Counties for School and General Public Health Nursing Work Authorized. (Ch. 169, Act March 25, 1927)

Section 1. That the commissioners court of the various counties in the State of Texas shall have the authority, when in their judgment it shall be deemed to be necessary or advisable, to employ one or more graduate registered nurses, whose duty it shall be to visit the public schools in the county in which they are employed and to investigate the health conditions and sanitary surroundings of such schools, and the personal, physical, and health condition of pupils therein, and to cooperate with the duly organized board of health and local health authorities in general public-health nursing and perform such other and further duties as may be required of them by the commissioners court.

Sec. 2. That said nurses when so appointed shall be employed on a monthly salary to be fixed by the commissioners court and shall at all times be subject

to removal by the commissioners court without prior notice.

SEC. 3. The commissioners court shall be empowered to appropriate from any funds of the respective counties the necessary money to cover the salary of such nurses, not to exceed the sum of \$1,800 to each nurse, and in addition thereto may appropriate additional funds to cover all expenses that may be proper and necessary in the visiting of such schools, and general public-health nursing, including transportation and other incidental expenses.

Births and Deaths-Registration. (Ch. 41, Act June 9, 1927)

Section 1. That the State department of health shall have charge of the registration of births and deaths; shall prepare the necessary instructions, forms, and blanks for obtaining and preserving such records and shall procure the faithful registration of the same in each primary registration district as constituted in section 3 of this act, and in the central bureau of vital statistics at the capital of the State. The said department shall be charged with the uniform and thorough enforcement of the law throughout the State and shall from time to time recommend any additional legislation that may be necessary for this purpose.

SEC. 2. That the State health officer shall have general supervision over the central bureau of vital statistics, which is hereby authorized to be established by said department, and which shall be under the immediate direction of the State registrar of vital statistics, whom the State health officer shall appoint within 30 days after the taking effect of this law, and who shall be a medical practitioner of not less than five years' practice in his profession and a competent vital statistician. The State registrar of vital statistics shall

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hold office for two years and until his successor has been appointed and has qualified, unless such office shall sooner become vacant by death, disqualification, operation of law, or other causes. Any vacancy occuring in such office shall be filled for the unexpired term by the State health officer. At least 10 days before the expiration of the term of office of the State registrar of vital statistics his successor shall be appointed by the State health officer. The State registrar of vital statistics shall receive an annual salary at the rate of \$4,000 from the date of his entering upon the discharge of the duties of his office. The State department of health shall provide for such clerical and other assistants as may be necessary for the purposes of this act, who shall serve during the pleasure of said department and shall fix the compensation of persons thus employed within the amount appropriated therefor by the legislature. The board of control shall provide suitable offices for the bureau of vital statistics in the State capitol or in other suitable public building at Austin, which shall be properly equipped with fire-proof vault and filing cases for the permanent and safe preservation of all official records made and returned under this act.

SEC. 3. That for the purposes of this act the State shall be divided into

registration districts as follows:

Each city, each incorporated town, and each justice precinct shall constitute a primary registration district: *Provided*, That the State department of health may combine two or more primary registration districts when necessary to

facilitate registration.

Sec. 4. That within 90 days after the taking effect of this act, or as soon thereafter as possible, the State health officer shall appoint a local registrar of vital statistics for each registration district in the State. The term of office of each local registrar so appointed shall be two years, and until his successor has been appointed and has qualified, unless such office shall sooner become vacant by death, disqualification, operation of law, or other causes: Provided, That in cities where health officers or other officials are, in the judgment of the State health officer, conducting effective registration of births and deaths under local ordinances or State law at the time of the taking effect of this act, such officials may be appointed as registrars in and for such cities and shall be subject to the rules and regulations of the State registrar and to all of the provisions of this act. Any vacancy occurring in the office of local registrar of vital statistics shall be filled for the unexpired term by the State health officer. At least 10 days before the expiration of the term of office of any such local registrar his successor shall be appointed by the State health officer.

Any local registrar who, in the judgment of the State health officer fails or neglects to discharge efficiently the duties of his office as set forth in this act, or to make prompt and complete returns of births and deaths as required thereby, shall be forthwith removed by the State health officer, and such other penalties

may be imposed as are provided under section 22 of this act.

Each local registrar shall, immediately upon his acceptance of appointment as such, appoint a deputy whose duty it shall be to act in his stead in case of his absence or disability, and such deputy shall in writing accept such appointment and be subject to all rules and regulations governing local registrars. And when it appears necessary for the convenience of the people in any rural district, the local registrar, when directed by the State registrar to do so, shall appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note on each certificate, over his signature, the date of filing and shall forward all certificates to the local registrar of the district within 10 days, and in all cases before the third day of the following month: Provided, That each subregistrar shall be subject to the supervision and control of the State registrar, and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the rules and regulations of the State registrar, and shall be subject to the same penalties for neglect of duty as the local registrar.

Sec. 5. That the body of any person whose death occurs in this State, or which shall be found dead therein, shall not be interred, deposited in a vault or tomb, cremated, or otherwise disposed of, or removed from or into any registration district, or be temporarily held pending further disposition more than 72 hours after death, unless a permit for burial, removal, or other disposition thereof shall have been properly issued by the local registrar of the

registration district in which the death occurred or the body was found. And no such burial or removal permit shall be issued by any registrar until, wherever practicable, a complete and satisfactory certificate of death has been filed with him as hereinafter provided: *Provided*, That when a dead body is transported from outside the State into a registration district in Texas for burial the transit or removal permit issued in accordance with the law and health regulations of the place where the death occurred shall be accepted by the local registrar of the district into which the body has been transported for burial or other disposition as a basis upon which he may issue a local burial permit. He shall note upon the face of the burial permit the fact that it was a body shipped in for interment and give the actual place of death, and no local registrar shall receive any fee for the issuance of burial or removal permits under this act other

than the compensation provided in section 20.

SEC. 6. That a stillborn child shall be registered as a birth and also as a death, and separate certificates of both the birth and the death shall be filed with the local registrar, in the usual form and manner, the certificate of birth to contain in place of the name of the child, the word "stillbirth": Provided, That a certificate of birth and a certificate of death shall not be required for a child that has not advanced to the fifth month of uterogestation. The medical certificate of the cause of death shall be signed by the attending physician, if any, and shall state the cause of death as "stillborn," with the cause of the stillbirth, if known, whether a premature birth, and, if born prematurely, the period of uterogestation, in months, if known; and a burial or removal permit of the prescribed form shall be required. Midwives shall not sign certificates of death for stillborn children; but such cases, and stillbirths occurring without 'attendance of either physician or midwife, shall be treated as deaths without medical attendance, as provided in section 8 of this act.

SEC. 7. That the certificate of death shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes

subserved by registration records:

1. Place of death, including State, county, precinct, town, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given instead of the street and house number. If in an industrial camp, the name of the camp to be given.

2. Full name of decedent. If an unnamed child, the surname preceded by

"Unnamed."

3. Sex.

 Color or race—as white, black, mulatto (or other negro descent), Indian, Chinese, Japanese, or other.

5. Conjugal condition—as single, married, widowed, or divorced.

6. Date of birth, including the year, month, and day.

- 7. Age, in years, months, and days. If less than one day, the hours or minutes.
- 8. Occupation: The occupation to be reported of any person, male or female, who had any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

9. Birthplace; at least State or foreign country, if known.

10. Name of father.

11. Birthplace of father; at least State or foreign country, if known.

12. Maiden name of mother.

Birthplace of mother; at least State or foreign country, if known.

14. Signature and address of informant.

15. Official signature of registrar, with the date when certificate was filed, and registered number.

16. Date of death, year, month, and day.

Certification as to medical attendance on decedent, fact and time of death, time last seen alive, and the cause of death, with contributory (secondary), cause of complication, if any, and duration of each, and whether attributed to dangerous or insanitary conditions of employment; signature and address of physician or official making the medical certificate.

Length of residence (for inmates of hospitals and other institutions; transients or recent residents), at place of death and in the State, together with the place where disease was contracted, if not at place of death, and

former or usual residence.

19. Place of burial or removal; date of burial.

20. Signature and address of undertaker or person acting as such.

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The personal and statistical particulars (items 1 to 13) shall be authenticated by the signature of the informant, who may be any competent person acquainted with the facts,

The statement of facts relating to the disposition of the body shall be signed

by the undertaker or person acting as such.

The medical certificate shall be made and signed by the physician, if any, last in attendance on the deceased, who shall specify the time in attendance, the time he last saw the deceased alive, and the hour of the day at which death occurred. And he shall further state the cause of death, so as to show the course of disease or sequence of causes resulting in the death, giving first the name of the disease causing death (primary cause) and the contributory (secondary) cause, if any, and the duration of each. Indefinite and unsatisfactory terms, denoting only symptoms of disease or conditions resulting from disease, will not be held sufficient for the issuance of a burial or removal permit, and any certificate containing only such terms, as defined by the State registrar, shall be returned to the physician of persons making the medical certificate for correction and more definite statement.

Causes of death which may be the result of either disease or violence shall be carefully defined; and if from violence, the means of injury shall be stated, and whether (probably) accidental, suicidal, or homicidal. And for deaths in hospitals, institutions, or of nonresidents, the physician shall supply the information required under this head (item 18), if he is able to do so, and may state

where, in his opinion, the disease was contracted.

Sec. 8. That in case of any death occurring without medical attendance it shall be the duty of the undertaker or person acting as such to notify the local registrar of such death, and when so notified the registrar shall, prior to the issuance of the permit, inform the local health officer and refer the case to him for immediate investigation and certification: *Provided*. That when the local health officer is not a physician, or when there is no such official, and in such cases only, the registrar is authorized to make the certificate and return from the statement of relatives or other persons having adequate knowledge of the facts: Provided further, That if the registrar or the local health officer, as the case may be, has reason to believe that the death may have been due to unlawful act or neglect, or otherwise is one properly referable to the coroner, he shall then refer the case to the coroner or other proper officer for his investigation and certification. And the coroner or other proper officer whose duty it is to hold an inquest on the body of any deceased person, and to make the certificate of death required for a burial permit, shall state in his certificate the name of the disease cousing [causing] death, if from external causes, (1) the means of death; and (2) whether (probably) accidental, suicidal, or homicidal; and shall, in any case, furnish such information as may be required by the State registrar in order properly to classify the death.

Sec. 9. That the undertaker or person acting as undertaker shall file the certificate of death with the local registrar of the district in which the death occurred and obtain a burial or removal permit prior to any disposition of the body: Provided, That any person who furnishes a casket, coffin, or box in which to bury the dead and who renders service like or similar to that usually rendered by an undertaker shall for the purposes of this act be deemed an undertaker. He shall obtain the required personal and statistical particulars from the person best qualified to supply them over the signature and address of his informant. He shall then present the certificate to the attending physician, if any, or to the health officer, justice of the peace, or coroner, as directed by the local registrar, for the medical certificate of the cause of death and other particulars necessary to complete the record, as specified in sections 7 and 8. And he shall then state the facts required relative to the date and place of burial or removal, over his signature and with his address, and present the completed certificate to the local registrar in order to obtain a permit for burial, removal, or other disposition of the body. The undertaker or person acting as such shall deliver the burial permit to the person in charge of the place of burial before interring or otherwise disposing of the body; or shall attach the removal permit to the box containing the corpse, when shipped by any transportation company, said permit to accompany the corpse to its destination, where, if within the State of Texas, it shall be delivered to the person in charge of the place of burial.

Every person, firm, or corporation selling a casket, coffin, or box for burial shall keep a record showing the name of the purchaser, purchaser's post-office

address, name of deceased, date of death, and place of death of deceased, which record shall be open to inspection of the State registrar at all times. On the first day of each month the person, firm, or corporation selling caskets, coffins, or burial boxes shall report to the State registrar each sale for the preceding month, on a blank provided for that purpose: Provided, however, That no person, firm, or corporation selling caskets, coffins, or burial boxes to dealers or undertakers only shall be required to keep such record, nor shall such report be required from undertakers when they have direct charge of the disposition of a dead body.

Every person, firm, or corporation selling a casket, coffin, or burial box at retail and not having charge of the disposition of the body shall inclose within the casket, coffin, or burial box a notice furnished by the State registrar calling attention to the requirements of the law, a blank certificate of death, and the rules and regulations of the State department of health concerning the burial

or other disposition of a dead body.

SEC. 10. That if the interment or other disposition of the body is to be made within the State, the wording of the burial or removal permit may be limited to a statement by the registrar, and over his signature, that a satisfactory certificate of death having been filed with him, as required by law, permissions [sic] granted to inter, remove, or dispose otherwise of the body, stating the name, age, sex, cause of death, and other necessary details upon the form prescribed

by the State registrar.

SEC. 11. That no person in charge of any premises on which interments are made shall inter or permit the interment or other disposition of any body unless it is accompanied by a burial, removal, or transit permit as herein provided. And such person shall indorse upon the permit the date of interment, over his signature, and shall return all permits so indorsed to the local registrar of his district within 10 days from the date of interment or within the time fixed by the local health authorities. He shall keep a record in a permanent bound book of all bodies interred or otherwise disposed of on the premises under his charge, in each case stating the name of each deceased person, place of death, date of burial or disposal, and name and address of the undertaker and such other information as the State registrar may direct, which record shall at all times be open to official inspection, and he shall before the tenth day of the following month make a report to the State registrar of all deceased persons deposited in the premises during the preceding month: Provided, That the undertaker or person acting as such, when burying a body in a cemetery or burial ground having no person in charge, shall sign the burial or removal permit, giving the date of burial, and shall write across the face of the permit the words, "No person in charge," and file the burial or removal permit within 10 days with the registrar of the district in which the cemetery is located.

SEC. 12. That the birth of each and every child born in this State shall be

registered as hereinafter provided.

Sec. 13. That within five days after the date of each birth there shall be filed with the local registrar of the district in which the birth occurred a certificate of such birth, which certificate shall be upon the form adopted by the State department of health with a view to procuring a full and accurate report with respect to each item of information enumerated in section 14 of this act.

In each case where a physician, midwife, or person acting as midwife, was in attendance upon the birth, it shall be the duty of such physician, midwife, or person acting as midwife, to file in accordance herewith the certificate herein

contemplated.

In each case where there was no physician, midwife, or person acting as midwife in attendance upon the birth it shall be the duty of the father or mother of the child, the householder or owner of the premises where the birth occurred, or the manager or superintendent of the public or private institution where the birth occurred, each in the order named, within five days after the date of such birth, to report to the local registrar the fact of such birth. In such case and in case the physician, midwife, or person acting as midwife in attendance upon the birth is unable by diligent inquiry to obtain any item or items of information contemplated in section 14 of this act, it shall then be the duty of the local registrar to secure from the person so reporting, or from any other person having the required knowledge, such information as will enable him to prepare the certificate of birth herein contemplated, and it shall be the duty of the person reporting the birth or who may be interrogated in relation thereto to answer correctly and to the best of his knowledge all ques-

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tions put to him by the local registrar which may be calculated to elicit any information needed to make a complete record of the birth as contemplated by said section 14, and it shall be the duty of the informant as to any statement made in accordance herewith to verify such statement by his signature, when requested so to do by the local registrar.

SEC. 14. That the certificate of birth shall contain the following items, which are hereby declared necessary for the legal, social, and sanitary purposes

subserved by registration records:

1. Place of birth, including State, county, precinct, town, or city. If in a city, the ward, street, and house number; if in a hospital or other institution, the name of the same to be given, instead of the street and house number.

2. Full name of child. If the child dies without a name, before the certificate is filed, enter the words "Died unnamed." If the living child has not yet been named at the date of filing certificate of birth, the space for "full name of child" is to be left blank, to be filled out subsequently by a supplemental report, as hereinafter provided.

3. Sex of child.

4. Whether a twin, triplet, or other plural birth. A separate certificate shall be required for each child in case of plural births.

5. For plural births, number of each child in order of birth.

6. Whether legitimate or illegitimate.

7. Date of birth, including the year, month, and day.

8. Full name of father.

9. Residence of father. 10. Color or race of father.

11. Age of father at last birthday, in years.

12. Birthplace of father; at least State or foreign country, if known.

13. Occupation of father. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

14. Maiden name of mother.

15. Residence of mother. 16. Color or race of mother.

17. Age of mother at last birthday, in years.

18. Birthplace of mother; at least State or foreign country, if known.

19. Occupation of mother. The occupation to be reported if engaged in any remunerative employment, with the statement of (a) trade, profession, or particular kind of work; (b) general nature of industry, business, or establishment in which employed (or employer).

20. Number of children born to this mother, including present birth.

21. Number of children of this mother living.

22. The certification of attending physician or midwife as to attendance at birth, including statement of year, month, day (as given in item 7), and hour of birth, and whether the child was born alive or stillborn. This certification shall be signed by the attending physician or midwife, with date of signature and address; if there is no physician or midwife in attendance, then by the father or mother of the child, householder, owner of the premises, or manager or superintendent of public or private institution where the birth occurred, or other competent person, whose duty it shall be to notify the local registrar of such birth, as required by section 13 of this act.

23. Exact date of filing in office of local registrar, attested by his official sig-

nature, and registered number of birth as hereinafter provided.

24. Whether prophyloctic [sic] precautions were taken at time of birth to prevent ophthalmia neonatorium [sic].

SEC. 15. That when any certificate of birth of a living child is presented without the statement of the given name, then the local registrar shall make out and deliver to the parents of the child a special blank for the supplemental report of the given name of the child, which shall be filled out as directed, and returned to the local registrar as soon as the child shall have been named.

SEC. 16. That every physician, midwife, and undertaker shall without delay register his or her name, address, and occupation with the local registrar of the district in which he or she resides, or may hereafter establish a residence; and shall thereupon be supplied by the local registrar with a copy of this act, together with such rules and regulations as may be prepared by the State

registrar relative to its enforcement. Within 30 days after the close of each calendar year each local registrar shall make a return to the State registrar of all physicians, midwives, and undertakers, or persons who have acted as such who have been registered in his district during the whole or any part of the preceding calendar year: *Provided*, That no fee or other compensation shall be charged by the local registrar to physicians, midwives, or undertakers, or persons acting as such for registering their names under this section or making

returns thereof to the State registrar.

Sec. 17. That all superintendents or managers, or other persons in charge of hospitals, almshouses, lying-in or other institutions, public or private, to which persons resort for treatment of diseases, confinement, or are committed by process of law, shall make a record of all the personal and statistical particulars relative to the inmates in their institutions at the date of approval of this act, which are required in the forms of the certificates provided for by this act, as directed by the State registrar; and thereafter such record shall be, by them, made for all future inmates at the time of their admittance. And in case of persons admitted or committed for treatment of disease, the physician in charge shall specify for entry in the record, the nature of the disease, and where in his opinion it was contracted. The personal particulars and information required by this section shall be obtained from the individual himself if it is practicable to do so; and when they can not be so obtained they shall be obtained in as complete a manner as possible from relatives, friends, or other

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SEC. 18. That the State department of health shall prepare, print, and supply to all registrars all blanks and forms used in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this act, and each city and incorporated town shall print and supply its local registrar, and each county shall print and supply all local registrars serving in its areas outside of cities and incorporated towns, with permanent record books in form approved by the State registrar, for the recording of all births and deaths occurring within their respective jurisdictions. The State registrar shall prepare and issue such detailed instructions as may be required to procure the uniform observance of its provisions and the maintenance of a perfect system of registration, and no other forms shall be used than those approved by the State department of health. He shall carefully examine the certificates received monthly from the local registrars, and if any such are incomplete or unsatisfactory he shall require such further information to be supplied as may be necessary to make the record complete and satisfactory. And all physicians, midwives, informants, or undertakers, and all other persons having knowledge of the facts are hereby required to supply, upon a form provided by the State department of health or upon the original certificate such information as they may possess regarding any birth or death upon demand of the State registrar in person, by mail, or through the local registrar: Provided, That no certificate of birth or death, after its acceptance for registration by the local registrar, and no other record made in pursuance of this act, shall be altered or changed in any respect otherwise than by the amendments properly dated, signed, and witnessed. The State registrar shall further arrange, bind, and permanently preserve the certificates in a systematic manner and shall prepare and maintain a comprehens ve index of all births and deaths registered, said index to be arranged alphabetically, in the case of deaths by the name of decedents, and in the case of births by the names of fathers and mothers. He shall inform all registrars what diseases are to be considered infectious, contagious, or communicable and dangerous to the public health, as decided by the State department of health, in order that when deaths occur from such diseases proper precautions may be taken to prevent their spread. If any cemetery company or association, or any church or historical society or association, or any other company, society, or association. or any individual, is in possess on of any record of births or deaths which may be of value in establishing the genealogy of any resident of this State, such company, society, association, or individual may file such record or a duly authenticated transcript thereof with the State registrar, and it shall be the duty of the State registrar to preserve such record or transcript and to make a record and index thereof in such form as to facilitate the finding of any information contained therein. Such record and index shall be open to inspection by the rublic, subject to such reasonable conditions as the State department of health may prescribe. If any person desires a transcript of any record filed in accordance herewith, the State registrar shall furnish the same upon application,

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together with a certificate that it is a true copy of such record as filed in his office, and for h's services in so furnishing such transcript and certificate he shall be entitled to a fee of 10 cents per folio, 50 cents per hour or fraction of an hour necessarily consumed in making such transcript, and to a fee of 25 cents for the certificate, which fees shall be paid by the applicant: Provided, That before the issuance of any such transcript the registrar shall be satisfied that the applicant is properly entitled thereto and that it is to be used only for legitimate

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SEC. 19. That each local registrar shall supply blank forms of certificates to such persons as require them. Each local registrar shall carefully examine each certificate of birth or death when presented for record in order to ascertain whether or not it has been made out in accordance with the provisions of this act and the instructions of the State registrar; and if any certificate of death is incomplete or unsatisfactory it shall be his duty to call attention to the defects in the return and to withhold the burial or removal permit until such defects are corrected. All certificates, either of birth or death, shall be written legibly, in durable black ink, and no certificate shall be held to be complete and correct that does not supply all of the items of information called for therein or satisfactorily account for their omission. If the certificate of death is properly executed and complete, he shall then issue a burial or removal permit to the undertaker: Provided, That in case the death occurred from some disease which is held by the State department of health to be infectious, contagous, or communicable and dangerous to the public health, no permit for the removal or other disposition of the body shall be issued by the registrar except under such conditions as may be prescribed by the State department of health. If a certificate of birth is incomplete, the local registrar shall immediately notify the informant and require him to supply the missing items of information if they can be obtained. He shall number consecutively the certificates of birth and death, in two separate series, beginning with No. 1 for the first birth and the first death in each calendar year, and sign his name as registrar in attest of the date of filing in his office. He shall also make a complete and accurate copy of each birth and each death certificate registered by him in a record book supplied in accordance with provisions of section 18 of this act, to be preserved permanently in his office as the local record, in such manner as directed by the State registrar, or in the event that local ordinances require that all reports of births and deaths be made in duplicate he may permanently bind the duplicate reports and index them in the manner prescribed in section 18 for the State registrar. And he shall on the 10th day of each month transmit to the State registrar all original certificates registered by him for the preceding month. And if no births or no deaths occurred in any month, he shall on the 10th day of the following month report that fact to the State registrar on a card provided for such purposes.

Sec. 20. That each local registrar shall be paid the sum of 25 cents for each birth certificate and each death certificate properly and completely made out and registered with him and correctly recorded and promptly returned by him to the State registrar, as required by this act; that in case no births or no deaths were registered during any month, the local registrar shall be paid the sum of 25 cents for each report to that effect, but only if such report be made promptly as required by this act: Provided, That if the local registrar receives any salary from State, city, or county for his services, then the fees herein provided for shall not be allowed. All amounts payable to a local registrar in a city or incorporated town under the provisions of this section shall be approved by the city council or city commission, as the case may be, and also shall bear the approval of the State registrar, and the same shall be paid out of the general fund of the city; and all amounts payable to a local registrar serving in a district outside of cities and incorporated towns shall be approved by the commissioners' court of the county or the county auditor, as the case may be, and also shall bear the approval of the State registrar, and the same shall be paid by the county treasurer out of the general fund of the county. A subregistrar shall be paid from the moneys paid to the local registrar under whom he serves, and it shall be the duty of the local registrar to make these payments on the following basis: For each certificate of birth and each certificate of death properly and completely made out, received by the subregistrar and promptly filed by him with the local registrar under whom he serves, the subregistrar shall be entitled to the sum of 10 cents, to be paid by the local registrar out of moneys he receives under the provisions of this act: Provided, That if the local registrar, by reason of other official salaries, receive none

of the registration fees provided by this act, then the subregistrar shall be entitled to the sum of 10 cents for each certificate of birth and death properly filed for him with the local registrar under whom he serves, the amount earned to be certified to by the local registrar concerned, approved by the State registrar, approved by the commissioners' court or county auditor, as the case may be, and then to be paid to the subregistrar out of the general fund of the county. Nothing in this section shall be construed as relieving the local registrar of duties relating to the proper recording and preservation of all birth and death records filed with him, including those received from subregistrars. And the State registrar shall annually certify to the city councils or city commissions, as the case may be, and to the commissioners' court or county auditor, as the case may be, the number of birth and deaths properly registered, with the name of the local registrars and subregistrars and the amounts due each at the rates fixed herein.

Sec. 21. That the State registrar shall upon request supply to any properly qualified applicant a certified copy of the record of any birth or death registered under provisions of this act, for the making and certification of which he shall be entitled to a fee of 50 cents, to be paid by the applicant. And any such copy of the record of a birth or death, when properly certified by the State registrar, shall be prima facie evidence in all courts and places of the facts therein stated. For any search of the files and records when no certified copy is made, the State registrar shal[1] be entitled to a fee of 50 cents for each hour or fractional part of an hour of time of search, said fee to be paid by the applicant. And the State registrar shall keep a true and correct account of all fees by him received under these provisions, and turn the same over to the State treasurer at the close of each month, and all such fees shall be kept by the State treasurer in a special and separate fund, to be known as the "Vital statistics fund," and the amounts so deposited in this fund may be used for defraying expenses incurred in the enforcement and operation of this act: Provided. That the State registrar shall upon request of any parent or guardian supply, without fee, a certificate limited to a statement as to the date of birth of any child when the same shall be necessary for admission to school, or for the purpose of securing employment: And provided further, That the United States Census Bureau may obtain, without expenses to the State, transcripts or certified copies of births and deaths without payment of the fees herein prescribed.

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SEC. 22. That any person, who for himself or as an officer, agent, or employee of any other person, or of any corporation or partnership, (a) shall inter, cremate, or otherwise finally dispose of the dead body of a human being, or permit the same to be done, or shall remove said body from the primary registration district in which the death occurred or the body was found, without the authority of a burial or removal permit issued by the local registrar of the district in which the death occurred or in which the body was found; or (b) shall refuse or fail to furnish correctly any information in his possession, or shall furnish false information affecting any certificate or record required by this act; or (c) shall willfully alter, otherwise than is provided by section 18 of this act, or shall falsify any certificate of birth or death, or any record established by this act; or (d) being required by the act to fill out a certificate of birth or death and file the same with the local registrar, or deliver it upon request to any person charged with the duty of filing the same, shall fail, neglect, or refuse to perform such duty in the manner required by this act; or (e) being a local registrar, deputy registrar, or subregistrar, shall fail, neglect, or refuse to perform his duty as required by this act and by the instructions and directions of the State registrar thereunder, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall for the first offense be fined not less than \$5 nor more than \$50, and for each subsequent offense not less than \$10 nor more than \$100, or be imprisoned in the county jail not more than 60 days, or be both fined and imprisoned.

Sec. 23. That each local registrar is hereby charged with the strict and thorough enforcement of the provisions of this act in his registration district under the supervision and direction of the State registrar. And he shall make an immediate report to the State registrar of any violation of this law coming to his knowledge by observation or upon complaint of any person or otherwise.

The State registrar is hereby charged with the thorough and efficient execution of the provision[s] of this act in every part of the state, and is hereby granted supervisory power over local registrars, deputy local registrars, and sub-

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registrars, to the end that all of its requirements shall be uniformly complied with. The State registrar, either personally or by an accredited representative, shall have authority to investigate cases of irregularity or violation of law, and all registrars shall aid him upon request in such investigations. When he shall deem it necessary he shall report cases of violation of any of the provisions of this act to the county attorney, with a statement of the facts and circumstances, and when any such case is reported to him by the State registrar the county attorney shall forthwith initiate and promptly follow up the necessary court proceedings against the person or corporation responsible for the alleged violation of law. And upon request of the State registrar, the attorney general shall assist in the enforcement of the provision[s] of this act.

Sec. 24. Rules 34 to 57, inclusive, of the sanitary code, the latter being article 4477, revised statutes of 1925, and all other laws in conflict with this act, are

hereby expressly repealed.

Trash, Refuse, Débris, and Dead Animals—Depositing Within Certain Distance of Public Highways Unlawful. (Ch. 53, Act June 9, 1927)

Section 1. That no municipal corporation, private corporation, partnership, joint stock association, syndicate, voluntary association, or person shall use or maintain any dumping ground or dump any trash, refuse, débris, or dead animals or permit the same to remain within or nearer than 300 yards of any public highway of the State of Texas; that no person, firm, or corporation as above named shall dump or deposit any rubbish, trash, refuse, débris or dead animals within or nearer than 300 yards of any public highway, whether said land belongs to such person, firm, or corporation or not. *Provided, however*, That the provisions of this act shall not affect farmers in the handling of anything necessary in the growing, handling, and care of livestock or the erection, operation, and maintenance of any and all such improvements that may be necessary in the handling, threshing, and preparation of any and all agricultural products.

in the handling, threshing, and preparation of any and all agricultural products. Sec. 2. Any violation of this act by any person, firm, or private corporation shall subject the offender to a fine of not less than \$10 nor more than \$200, and each day of any such violation shall be a separate offense. In event of any threatened or probable violation of this act by any public corporation, municipality, city, town, or village an injunction suit may be brought to prevent any such threatened or probable violation by any county or district attorney or by any privile individual affected or to be affected by any such threatened or probable violation. The enforcement of the remedy by injunction as herein provided shall not prevent the enforcement of the other penalties provided in

this act.

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Communicable Diseases—Reports of Cases—Definitions of Terms—Placard-ing—Isolation—Quarantine—Disinfection—Exclusion from School and Pub-lic Places—Immunization—Investigation of Unreported Cases—Sale and Use of Dairy Products—Burial. (Reg. Bd. of H., February 24, 1927)

1. The following diseases are declared to be communicable (contagious), and are to be reported, as provided in section 2746, Compiled Laws, 1917 (as amended 1919), by physicians and others there named as responsible for such reporting: Actinomycosis, ancylostomiasis (hookworm), anterior poliomyelitis—acute (infantile paralysis), anthrax, dengue, chancroid, chicken pox, cholera (Asiatic), diphtheria (membranous croup), dysentery (amæbic or bacillary), favus, German measles (rubella), glanders, gonorrhea, influenza, leprosy, lethargic encephalitis (encephalitis lethargica), malaria, Malta fever, measles, meningococcus meningitis (epidemic cerebrospinal meningitis), mumps, ophthalmia neonatorum, paratyphoid fever, plague, pneumonia (lobar or broncho), rabies, Rocky Mountain spotted fever, scarlet fever (scarlatina), septic sore throat, tuberculosis (other than pulmonary), tularemia (deer-fly fever), typhoid fever, typhus fever, whooping cough, Weil's disease (acute infectious jaundice), yellow fever.

The following are definitions of the terms hereinafter used in the rules and

regulations:

(1) Carrier: A person who, without symptoms of a communicable disease,

harbors and disseminates the specific microorganisms.

(2) Cleaning: This term signifies the removal by scrubbing and washing, as with hot water, soap, and washing soda, of organic matter on which and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

(3) Contact: A "contact" is any person known to have been sufficiently near to an infected person to have been presumably exposed to transfer of infectious

material directly, or by articles freshly soiled with such material.

(4) Disinfection: By this is meant the destroying of the vitality of pathogenic

microorganisms by chemical or physical means.

When the word "concurrent" is used as qualifying disinfection it indicates the application of disinfection immediately after the discharge of infectious material from the body of an infected person or after the soiling of articles with such infectious discharges, all personal contacts with such discharges or articles

being prevented prior to their disinfection.

When the word "terminal" is used as qualifying disinfection it indicates the process of rendering the personal clothing and immediate physical environment of the patient free from the possibility of conveying the infection to others at

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the time when the patient is no longer a source of infection.

(5) Isolation: By isolation is meant the separating of persons suffering from a communicable disease, or carriers of the infecting organism, from other persons, in such places and under such conditions as will prevent the direct or indirect conveyance of the infectious agent to susceptible persons.

(6) Quarantine: By quarantine is meant the limitation of freedom of movement of persons or animals who have been exposed to communicable disease for a period of time equal to the longest usual incubation period of the disease

to which they have been exposed.

(7) Renovation: By renovation is meant, in addition to cleansing, such treatment of the walls, floors, and ceilings of rooms or houses as may be necessary

to place the premises in a satisfactory sanitary condition.

(8) Susceptibles: A susceptible is a person or animal who is not known to have become immune to the particular communicable disease in question by natural or artificial process.

¹ In view of the various ambiguous and inaccurate uses to which the words "isolation" and "quarantine" are not infrequently put, it has seemed best to adopt arbitrarily the word "isolation" as describing the limitation put upon the movements of the known sick or "carrier" individual or animal, and the word "quarantine" as describing the limitations put upon exposed or "contact" individuals.

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2. The following diseases are declared to be placardable: Meningococcus meningitis (epidemic cerebrospinal meningitis), chicken pox, cholera, mumps, German measles, measles, diphtheria, plague, scarlet fever, smallpox, typhus fever, whooping cough, and yellow fever. (No placard required in the other communicable diseases listed unless by rules of a local board of health to the

Immediately upon receiving the report of a case of one of these placardable diseases the local board of health or health officer shall cause to be securely attached in a conspicious place on the house wherein such disease occurs, a card or flag having printed on it in large letters the words "Communicable disease" or the name of the disease for which isolation is established, and shall enforce the rules and regulations for the control of the said disease hereinafter mentioned. No person shall remove, mar, deface, or destroy such quarantine card or flag, which shall remain in place until after the patient has been removed from such house or has recovered and is no longer capable of communicating the disease and until removed or ordered removed by the board of health or health officer.

It shall be the duty of the occupant of the said house to see that the quarantine card or flag shall remain in place until it is removed in accordance with the aforesaid rule, and the said occupant shall be held legally responsible for

any violation thereof.

The object of isolation and quarantine is to prevent the spread of disease germs by the person affected and those in contact with him. Communicable diseases are more frequently contracted through direct contact with a person

having the disease than through any other means.

3. Every physician attending a person affected with any of the aforesaid diseases shall use every precaution to prevent communication of the disease to others. To this end the board recommends that a cap and gown or sheet or some other sufficient cover for the clothing be worn by physicians while in the presence of dangerous communicable diseases. The face and hands should be washed with soap and water or some disinfecting solution after caring for a

patient afflicted with a dangerous communicable disease.

4. Upon the discovery of the symptoms of the disease the patient should be placed in a room as far removed as possible from those occupied by others in the house. All unnecessary furniture, carpets, draperies, and other articles liable to harbor germs should be removed. No other person should enter the room excepting the physician and the nurse, the latter of whom should leave it only when necessary, and upon so doing should disinfect face and hands and put on over the clothes an outer garment to be kept outside the door, avoiding close contact with other persons.

It should be the aim to prevent so far as possible the infection of the sick room. The floors, woodwork, furniture, etc., should be wiped daily with a

cloth wet with an antiseptic solution.

Ventilation should be thorough, but care should be taken to protect the patient from exposure to direct cold drafts. Fresh air and sunlight are nature's great disinfectants and should be admitted as abundantly as possible.

5. The isolation, quarantine, and disinfection in communicable diseases shall

be as follows:

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Asiatic cholera.—Isolation of patient until complete recovery and until the in fectious agent (cholera vibrio) is absent from the bowel discharges.

Quarantine of exposed persons for five days from last exposure, or longer if

stools are found to contain the cholera vibrio.

Concurrent disinfection of stools and vomited matter. Articles used by and in connection with the patient must be disinfected before removal from the room. Food left by the patient should be burned.

Terminal disinfection: Thorough cleaning of sick room.

Chicken pox.—Isolation of patient until recovery and until primary scabs have disappeared from the skin; and prevention of contact with nonimmmune persons.

Quarantine: None.

Concurrent disinfection of articles soiled by discharges from the lesions.

Terminal disinfection: Thorough cleaning.

The health officer shall confirm all diagnoses of chicken pox in adults.

Diphtheria.—Isolation of patient until complete clinical recovery and until two successive cultures from the throat and two from the nose, taken not less than 24 hours apart, are pronounced negative by a bacteriologist approved by

the State board of health. Isolation may be terminated if persistent diphtheria bacilli prove avirulent.

Where termination by culture is impracticable isolation shall continue for a minimum period of 16 days after the onset of the disease. Exposed susceptibles should be promptly immunized by antitoxin.

Quarantine of persons associated with or in the family with the patient until after the death of recovery of the patient and disinfection of the sick room: Provided, That children who shall receive an immunizing dose of antitoxin, and in whom two cultures taken as above mentioned have proved negative for diphtheria, may be released from quarantine at any time at the discretion of the board of health: Provided further, That adult members of the family, except in the case of school-teachers or food handlers, may be released from quarantine at any time at the discretion of the board of health if two bacteriological examinations made as above mentioned have proved negative for diphtheria.

Concurrent disinfection of all articles which have been in contact with the patient and all articles soiled by discharges from the patient.

Terminal disinfection: Thorough cleaning, airing, and sunning of sick room. German measles.—Isolation of patient from nonimmune children and his exclusion from school and public places for a minimum period of eight days from the onset of the disease.

Quarantine: None.

Concurrent disinfection of discharges from the nose and throat of the patient and articles soiled by such discharges.

Terminal disinfection: Airing and cleaning of sick room.

Influenza .- Isolation of patient during acute stage of the disease.

Quarantine: None.

Concurrent disinfection of discharges from the nose and throat of the patient. Terminal disinfection: Airing and cleaning of the sick room.

Measles.—Isolation of patient during the period of catarrhal symptoms and for five days after the appearance of the rash.

Minimum period of isolation nine days; from four days before to five days after the appearance of the rash.

Quarantine: Exclusion of exposed susceptible children from school and public places for 14 days after last exposure. This applies to exposure in the infected household.

Concurrent disinfection of all articles soiled with the secretions of the nose and throat.

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Terminal disinfection: Thorough cleaning of sick room.

Meningococcus meningitis (epidemic cerebrospinal meningitis).—Isolation of patient until 14 days after onset of the disease.

Quarantine: None.

Concurrent disinfection of discharges from the nose and mouth and of articles soiled therewith.

Terminal disinfection: Thorough cleaning, sunning, and airing of house, Mumps.—Isolation of patient from nonimmune children and exclusion of patient from school and public places until the parotid gland has resumed its normal size or until at least 21 days after onset of the disease.

Quarantine: None. Exposed susceptible persons should be regularly inspected for the onset of the disease for three weeks from last exposure.

Concurrent disinfection of all articles soiled with discharges from the nose and throat.

Terminal disinfection: None.

Paratyphoid fover.—Isolation of patient in fly-proof room during the period of the disease.

Immunization of exposed susceptibles.

Quarantine: None.

Concurrent disinfection of all bowel and urinary discharges and articles soiled with them; and disinfection and fly-proofing of privies on infected premises.

Terminal disinfection: Cleaning of house and premises.

Pneumonia.—Isolation of patient during the course of the disease.

Quarantine: None.

Concurrent disinfection of discharges from the nose and throat of the patient. Terminal disinfection: Thorough cleaning, airing, and sunning of sick room. Poliomyelitis (infantile paralysis).—Isolation of patient for three weeks from the onset of the disease.

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Quarantine of exposed children of the household and of adults of the household whose vocation brings them in contact with children, or who are food handlers, for 14 days from last exposure to a recognized case.

Concurrent disinfection of nose, throat, and bowel discharges and articles

soiled therewith.

Terminal disinfection: Cleaning of sick room.

Scarlet fever.—Isolation of patient for 30 days from the onset of the disease

and until abnormal discharges have ceased.

Quarantine: Exclusion of exposed children and teachers from school and public gatherings for 10 days after last exposure to a recognized case of the disease and exclusion of food handlers from their work for the same period.

Concurrent disinfection of all secretions from the nose and throat, of all articles which have been in contact with the patent, and all articles soiled

with discharges from the patient.

Terminal disinfection: Thorough cleaning, airing, and sunning of house. Septic sore throat.-Isolation of patient during the clinical course of the disease and convalescence and particularly exclusion of the patient from participation in the production or handling of milk or milk products.

Quarantine: None.

Concurrent disinfection of articles soiled with discharges from the nose and throat of the patient.

Terminal disinfection: Cleaning.

Smallpox.-Isolation of patient for 2. days from the onset of the disease and until all crusts or scales have disappeared.

Immunization: Vaccination.

Quarantine of exposed persons for 16 days after last exposure unless successfully vaccinated, and person and clothing disinfected, or protected by a previous attack of the disease: Provided, That persons who have not been successfully vaccinated previously, and who shall submit to vaccination and who are no longer in any way in contact with the patient, may be released from quarantine after disinfection of person and clothing when evidence shows that vaccination is successful.

Concurrent disinfection of all discharges. No article to leave the surround-

ings of the patient without boiling or equally effective disinfection.

Terminal disinfection: Thorough cleaning, airing, and sunning of house. Tuberculosis.—Isolation of such "open" cases as do not observe the precautions necessary to prevent the spread of the disease.

Quarantine: None.

Concurrent disinfection of sputum and articles soiled with it. Particular attention should be paid to prompt disposal or disinfection of sputum itself, of handkerchiefs, cloths, or paper soiled therewith. and of eating utensils used by the patient.

Terminal disinfection: Cleaning and renovation of house.

Typhoid fever.-Isolation of patient in fly-proof room during course of the disease. Release from isolation can safely be determined only by two successive negative cultures of stool and urine specimens collected not less than 24 hours apart. Mailing containers will be furnished and tests made on request to the State board of health.

Immunization of exposed susceptibles.

Quarantine: None.

Concurrent disinfection of all bowel and urinary discharges and articles soiled with them, including the hands of the attendants. Disinfection with an approved disinfectant and fly-proofing of privies on infected premises.

Terminal disinfection: Cleaning.

Whooping cough.—Particularly communicable in the early catarrhal stage of the disease before the "whoop" appears.

Isolation of patient from susceptible children and exclusion of patient from school and public places for five weeks after beginning of the catarrhal stage of the disease.

Quarantine: Exclusion of susceptible children from school and public gatherings during period of isolation of patient.

Concurrent disinfection of discharges from the nose and throat of the patient and articles soiled with them.

Terminal disinfection: Cleaning of house.

Venereal diseases, (syphilis, gonorrhea, chancroid).-All cases of venereal diseases shall be immediately reported to the State board of health by physician in attendance on forms furnished by the board. Measures for the control or prevention of these diseases are to be taken in accordance with chapter 52, laws of 1919, and the rules pertaining thereto adopted by the State board of health.

All cases of typhoid fever, paratyphoid fever, and tuberculosis shall be immediately reported by the local health officer to the State board of health on

blanks furnished by the board.

6. No isolation or quarantine of a communicable disease shall be removed until the attending physician has notified the local board of health that the case has recovered and is no longer liable to communicate the disease, provided that when no physician is in attendance the local health officer may remove the same at the expiration of the isolation or quarantine period and recovery of the patient.

7. When it is known that a person has attended school while suffering from any of the diseases named in rule 2 the local board of health shall investigate the circumstances and, if deemed necessary, shall cause the school room occupied

by the said person to be disinfected by cleaning, airing, and sunning.

8. When a case of quarantinable communicable disease is reported it shall be the duty of the local health officer to ascertain the school attended by any child from infected premises and to serve a written notice upon those in charge of such school requiring the exclusion of all persons residing in the same house in which the person suffering from the disease may be located until a written permit from the board of health is presented.

9. No person suffering from cholera, smallpox, typhus fever, plague, diphtheria (membranous croup), scarlet fever (scarlatina), influenza, measles, whooping cough, mumps, chicken pox, trachoma, or meningococcus meningitis (epidemic cerebrospinal meningitis) shall be admitted into any public, parochial, or private school, college, or Sunday school, or shall enter any assemblage,

railway car, street car, or other public conveyance.

10. No person shall be admitted to any public, parochial, or private school, or college, or Sunday school, from any family in which there is a case of communicable disease except as specified in the foregoing rules.

11. No parent, guardian, or other person having charge or control of any child or children shall allow or permit such child or children to leave any premises in which there is communicable disease except as specified in the foregoing rules

and with the permission of the board of health or its proper officer.

12. Wherever children in attendance at any public, parochial, or private school or college are found to be suffering from scables, (the itch), impetigo contagiosa, ringworm, favus, or pediculosis, (lice), or from any other communicable skin or parasitic disease, the board of health has authority to exclude such children from school or college until such time as they are found to be free from the

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13. When a person affected with a communicable disease has recovered and is no longer liable to communicate the disease to others, or has died, the physician shall furnish to the local board of health a certificate of such recovery or death; and as soon thereafter as the board deems it advisable, its health officer or other person appointed for the purpose shall disinfect or supervise the disinfection of the house and contents thereof in which such person has been ill or has died, which disinfection shall be done in accordance with the rules and regulations adopted by the State board of health applying to the disease in question.

14. When complaint is made or a reasonable belief exists that a communicable disease exists in a house or locality which has not been reported, the health officer shall investigate and on discovering that such communicable disease exists,

take such action as is required by the rules relating to such disease.

15. Failure on the part of physicians or others to report cases of communicable disease and all other violations of the law relating to the prevention of the same, should be at once reported to the State board of health. It shall be the duty of the local board of health or health officer to prosecute all persons who shall violate any of the rules or regulations of the State board of health.

16. The sale or use of milk or dairy products from a place where one of the quarantinable diseases exists or where typhoid fever, paratyphoid, or septic sore throat is present is strictly forbidden unless the milk is handled, cans and pails washed, and stock cared for by persons entirely segregated from the affected family and then only upon permission of the local health officer. The sale

² Supplement 42 to Public Health Reports, p. 836.

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or use of milk or dairy products from a place where a carrier of any of the aforesaid diseases resides is prohibited.

17. No milk bottles shall be taken from premises on which a communicable

disease exists.

18. The body of a person who has died of cholera, plague, diphtheria, scarlet fever, or smallpox shall not remain unburied for a longer period of time than 36 hours after death, unless special permission be granted by the local board of health extending the time during which said body shall remain unburied, for special and satisfactory cause shown. The undertaker, or person acting as such, shall be responsible for any violation of the provisions of this rule.

19. All services in connection with the funeral of the body of a person who has died of any of the diseases mentioned in rule 18 shall be private, and the attendance thereat shall include only the immediate adult relatives of the deceased who may not at the time be under absolute quarantine restrictions, and the necessary number of adult pallbearers, and any advertisement of such

funeral shall state the cause of death.

The following disinfectants are officially approved: No. 1, corrosive sublimate solution, 1–1000 dissolved in a wooden or earthen vessel; No. 2, cresol compound solution, 1 per cent; No. 3, fresh chloride of lime solution, 3 per cent; No. 4, carbolic acid solution, 3 per cent; No. 5, formalin solution, 10 per cent.

Methods of disinfection.—Concurrent: All discharges from the eyes, ears, nose, throat, skin lesions, and glands should be collected on bits of cotton,

paper, or cloth and burned at once.

The hair of the patient or attendants should be disinfected by washing with

soap and water or a disinfecting solution.

Bedclothes, pillow slips, sheets, nightgowns, towels, or any other cloth or clothing should be disinfected by being boiled for 15 minutes.

All utensils used in feeding the patient should be promptly washed and

Food from the sick room should never be eaten by anyone but should be collected and burned at once.

Water that has been used to bathe patient should be boiled 10 minutes before

being discarded.

Bowel discharges in cases of typhoid fever and other enteric diseases shall be disinfected by adding 3 tablespoonfuls of fresh chloride of lime to a liquid stool, stirring the mixture until all parts have been thoroughly mixed. Let stand, protected from flies, 30 minutes before discharging into a sewer or privy vault.

Solid stools should have 1 pint of water added and be thoroughly stirred

until all lumps are broken and then treated as described above.

Bladder discharges in cases of typhoid fever and paratyphoid fever shall be disinfected by mixing 3 tablespoonfuls fresh chloride of lime with each passage and allowed to stand 30 minutes before being discharged into a sewer or privy vault.

Terminal: All articles exposed to patient should be disinfected the same as

in concurrent disinfection.

Disinfection of the person, rooms, or dwelling shall be carried out by the use of soap and water, fresh air, and sunlight.

The use of any sort of fumigation is not required.

Disinfection by officially approved chemical disinfectants may be used in special cases at the discretion of the health officer.

Water Supplies—Prevention of Pollution—Certain Acts Unlawful. (Ch. 3, Act February 16, 1927)

Section 1. Section amended.—That section 8184, chapter 37, Compiled Laws of Utah, 1917, be, and the same is hereby, amended to read as follows:

Sec. §184. Befouling waters.—Any person who shall either: 1. Construct or maintain corral, sheep pen, goat pen, stable, pigpen, chicken coop, or other offensive yard or outhouse, where the waste or drainage therefrom shall flow directly into the waters of any stream, well, or spring of water used for domestic purposes: or

2. Deposit, pile, unload, or leave any manure heap, offensive rubbish, or the carcass of any dead animal where the waste or drainage therefrom will flow directly into the waters of any stream, well, or spring of water used for do-

mestic purposes; or

3. Dip or wash sheep in any stream, or construct, maintain, or use any pool or dipping vat for dipping or washing sheep in such close proximity to any stream used by the inhabitants of any city, town, or village for domestic purposes as to make the waters thereof impure or unwholesome; or

4. Construct or maintain any corral, yard, or vat to be used for the purpose of shearing or dipping sheep within 12 miles of any city, town, or village where the refuse or filth from said corral or yard would naturally find its way into any stream of water used by the inhabitants of any city, village, or town

for domestic purposes; or

5. Establish and maintain any corral, camp, or bedding place for the purpose of herding, holding, or keeping any cattle, horses, sheep, goats, or hogs within 7 miles of any city, town, or village, where the refuse or filth from said corral, camp, or bedding place will naturally find its way into any stream of water used by the inhabitants of any city, town, or village for domestic purposes, shall be guilty of a misdemeanor.

Habit-Forming Drugs—Possession, Sale, and Dispensing—Treatment of Addicts. (Ch. 65, Act March 16, 1927)

Section 1. Section amended.—That section 4432, Compiled Laws of Utah,

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1917, be amended to read as follows:

4432. Possession and use of narcotic drugs; dispensing at retail and wholesale; prescription by physician, dentist, and veterinarians; exceptions; altering or counterfeiting prescriptions.-It shall be unlawful for any person, firm, or corporation to sell, furnish, or give away, or offer to sell, furnish, or give away, or to have in possession, any cocaine, opium, morphine, codeine, heroin, peyote (mescal button), alpha eucaine, beta eucaine, nova caine [novocaine], flowering tops and leaves, extracts, tinctures, and other narcotic preparations of hemp or loco weed (cannabis sativa, Indian hemp), mariguana, or chloral hydrate, or any of the salts, derivatives, or compounds of the foregoing substances, or their salts, ration or compound containing any of the foregoing substances, or their salts, derivatives, or compounds, excepting upon the written order or prescription of a physician, dentist, or veterinary surgeon licensed to practice in this State. which order or prescription shall be dated and shall contain the name and address of the person for whom prescribed, written in by the person writing said prescription; or if ordered by a veterinary surgeon, it shall state the kind of animal for which ordered and shall be signed by the person giving the prescription or order: Provided, however, That this exception shall not apply to anhalonium or peyote, the use whereof in any form whatsoever being hereby positively prohibited: And it is hereby further provided, That it shall be unlawful for any person, association, or corporation to carry or cause to be carried into or within this State any of said anhalonium or peyote, or any compound, manufacture, derivative, or preparation thereof. Such order or prescription shall be permanently retained on file by the person, firm, or corporation compounding or dispensing the articles ordered or prescribed, and no order or prescription shall be refilled. All such orders or prescriptions, after filing, shall be open to public inspection and shall be preserved for at least three years. The foregoing provisions of this section shall not apply to sales at wholesale by jobbers, wholesalers, and manufacture[r]s to registered drug stores or pharmacies, or to registered pharmacists, or to licensed physicians, nor to the sale at retail by registered pharmacists to physicians, dentists, or veterinary surgeons duly licensed to practice. All wholesale jobbers, wholesalers, or manufacturers shall, before delivery of any of the articles in this section enumerated, make a [or] cause to be made, in a book kept for that purpose only, an entry of the sale of any such articles stating the date of such sale, and the quantity and the name of the article, and the form in which sold, the true name and true address of the purchaser, the name of the person by whom such entry or sale was made, also a statement showing how delivery was had, whether personally or by mail, express or by freight, which book shall always be open for inspection by any peace officer or any inspector authorized by the director of the department of registration, and which book shall be preserved at least five years from the date of the last entry therein. The taking of any order, or making of any contract or agreement, by any traveling representative, or any employe, or [of?] any person, firm, or corporation for future delivery in this State of any of the articles or drugs mentioned in this section shall be deemed a sale of said articles or drugs by such traveling representative or employee, within

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the meaning of the provisions of this title, and all such orders, contracts, or agreements shall be recorded in the same book and in the same manner as in this section provided for the recording of sales by wholesale jobbers, wholesalers, or manufacturers. It shall be unlawful for any practitioner of medicine, dentistry, or veterinary medicine to furnish to or prescribe for the use of any habitual user of cocaine, opium, morphine, codeine, heroin, peyote, or chloral hydrate, or any salt, derivative, or compound containing any of the foregoing substances, except that a duly licensed physician may prescribe any of such drugs as he may deem necessary in the treatment of a patient who may be an habitual user of any of such drugs. Such prescription or administration can only be given for the purpose of effecting a cure and not for the purpose of satisfying narcotic addiction as such, and can only be given when the patient for whom prescribed or administered is detained in a hospital, sanitarium, or jail, and is so supervised that he can not obtain any of such drugs except upon

such prescription.

It shall be unlawful for any practitioner of medicine or dentistry to prescribe any of the foregoing drugs for any person not under his treatment in the regular practice of his profession, or for any veterinary surgeon to prescribe any of the foregoing drugs for the use of any human being. The above provisions of this section shall not apply to preparation[s] or remedies sold or dispensed by a registered pharmacist without a physician's prescription, which preparations or remedies contain not more than 2 grains of opium, or onefourth grain of morphine, or 1 grain of codeine, or one-eighth grain of heroin, or one-half grain extract cannabis indica, or 10 grains chloral hydrate, in 1 fluid ounce, or, if a solid preparation, in 1 ounce, avoirdupois; or to liniments, ointments, or other preparations which are prepared for external use only, except liniments, ointments, and other preparations which contain cocaine or any of its salts, or alpha or beta eucaine or any of their salts or any synthetic substitute for them: Provided, That such remedies and preparations are sold, distributed, given away, dispensed, or possessed as medicines and not for the purpose of evading the intentions and provisions of this title. Such remedies and preparations must be registered as is required for Schedule A poisons, and it shall be unlawful for any person to give a false or fictitious name or make any false representation to the seller or dealer when buying any of such remedies or preparations.

It shall be unlawful for any person to alter, forge, or counterfeit any order or prescription executed by any duly licensed physician, dentist, veterinarian, or other duly authorized person, for any of the narcotics or drugs enumerated

in this section.

Drug Addicts and Inebriates—Treatment in Utah State Hospital. (Ch. 36, Act March 12, 1927)

SECTION 1. Sections amended .- That sections 5383 and 5400, Compiled Laws

of Utah, 1917, be amended to read as follows:

"5383. Name changed.—Until otherwise provided, the State insane asylum now established and located at Provo, Utah, in the county of Utah, shall be hereafter known as the Utah State Hospital. The words 'hospital,' 'mental hospital,' and 'State mental hospital,' as used in this act shall mean Utah State Hospital.

"5400. Form of application; who may commit; expense.—Application for

[admission?] and admission to the hospital may be as provided herein.

"(4) The superintendent of the Utah State Hospital may without the order of a judge required by sections 5405 and 5406, Compiled Laws of Utah, 1917, receive into his custody and detain in such hospital for care and treatment for not less than 30 days any person whose case is certified to be one of alcoholism or drug addiction. No such person shall be received, detained, or treated without first obtaining the written consent of the person to be treated or his parents, relatives, or lawful guardian, together with a certificate by two physicians licensed to practice in this State and who have been practicing therein for more than three years. All necessary expenses connected with the reception, care, detention, and treatment of such persons under this section shall be paid to the superintendent by the person treated, or by his parents, relatives, or guardian."

Cattle-Importation-Tuberculin Testing. (Ch. 45, Act March 14, 1927)

Section 1. Sections amended.—That sections 196 and 197, chapter 2,* session laws of Utah, 1921, be and the same are hereby amended to read as follows:

196. Certificate of imported cattle.—It shall be unlawful for any person to bring into this State any cattle for dairy or breeding purposes, except when said cattle are accompanied by a certificate from a State or Federal inspector, certifying that they have been examined and subjected to the tuberculin test within 40 days prior to their shipment into this State, and are free from tuberculosis and every other contagious or infectious disease and all cattle so brought into this State for dairy or breeding purposes shall be kept and held entirely separate from any and all other cattle for a period of 90 days from date of arrival at destination unless sooner released by the State veterinarian. The State board of agriculture shall be notified by the owner or consignee of the date of arrival of such cattle and the place where held: Provided. That mature cows shall be kept or held on owner's inclosed premises for a like period of time. The State veterinarian shall cause such cattle to be tuberculin tested within the period above named, employing not less than two recognized tests, the owner of said cattle to pay the cost of such testing and no indemnity shall be paid by the State of Utah.

197. Dairy tuberculin test.—Every person, firm, or corporation owning or keeping one or more cattle for dairy purposes shall, upon notice from the State veterinarian or his representative, or the United States Bureau of Animal Industry, assemble such cattle at the time and place designated in such notice for the purpose of testing same for tuberculosis. Such notice shall be given to said owners of dairy cattle: Provided, That the provisions of this chapter shall not apply to what is known as range cattle or branded cattle raised in pasture or open range, or to cattle imported for exhibition purposes or resale on commission and provided further that such exception shall not apply for a longer time than the exhibition period or in case of resale on commission for a longer period than 10 days: And provided further. That the State board of agriculture shall be notified of arrival by the importer as provided in the next preceding section. Any transportation company which shall accept shipment of any livestock without certificate of health accompanying the bill of lading as provided in section 196, or any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor.

Beauty Culture—Use of Shops for Sleeping or Residential Purposes—Serving Persons Afflicted with Communicable Diseases Prohibited—Reports of Communicable Diseases by Operators—Fumigation of Shops and Schools—License. (Ch. 26, Act March 8, 1927)

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Sec. 3. Definitions; shop can not be used for sleeping or residential purposes, unless.—For the purpose of this act, the following definitions shall be adopted and understood to be included within the meaning of this act.

(d) A hairdressing or cosmetician or electrologist shop is any building or part thereof wherein any of the classified occupations are practiced.

It is unlawful to use any such shop for sleeping or residential purposes. Unless the building in which the shop is located has a sign on the outer wall designating the same as a hairdresser or cosmetician shop, and the work is done in a room set apart for that purpose which must be open to public inspection every day of the week, excepting holidays, between the hours of 9 o'clock a. m. and 5 o'clock p. m.

Sec. 4. Afflicted person not to be served; report; fumigation.—No person practicing the occupation or [of] a hairdresser or cosmetician or electrologist shall knowingly serve a person afflicted with any contagious or infectious disease, but it shall be his or her duty to report the case to the State board of health or local health officer. No person so afflicted shall be served or apply for service in any hairdressing or cosmetician or electrologist shop or school until he or she shall have first obtained a clean bill of health from a medical practitioner. The secretary of the State board of health, or his deputy or deputies, shall each of them have authority to fumigate, at the expense of the person in charge, any hairdressing or cosmetician or electrologist shop or school where

³ Supplement 45 to Public Health Reports, p. 564.

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any contagious or infectious disease has been contracted or where a person having such disease has been served.

SEC. 5. License as operator; fee; examinations; requirements.— * * * If the department [of registration] is satisfied that the applicant [for a license as operator] is * * * free from contagious or infectious disease (certified by a legally qualified physician) * * * and has the requisite knowledge of contagious and infectious diseases to recognize them and refuse service, and has a thorough knowledge of the sanitary requirements of a hairdressing or cosmetician or electrologist shop or school in this State, said department of registration shall thereupon issue to him or her a license authorizing him or her to practice either or all of said occupations upon the payment of the fees hereinafter set forth. * * *

SEC. 10. Revocation of license; notice; hearing; appeal; regranting license.—
The department of registration may revoke the license or certificate of any hairdresser or cosmetician or electrologist, school, instructor, or apprentice for * * * (b) habitual use of intoxicants or narcotics; (c) contagious or infectious disease; * * * (f) the keeping of a shop or school and its furnishings or the tools, utensils, linen, or appliances therein in an unclean or unsanitary condition; * * * (h) violating any rule of the State board of health prescribing the sanitary requirements of hairdressers, cosmeticians, and electrologists, shops, and schools. The licenses [sic] of a school may be revoked if the same is conducted in an unsanitary manner or if it violates any rule of the department of registration for the conduct of schools; * * *

Sec. 16. Penalty for practicing without a license.—Any person who shall practice any of the occupations, instruct in or maintain a school, shop, or act in any capacity wherein a license or certificate is required without a license or certificate required by this act, or who shall violate any provision of this act or any rule of the State board of health prescribing the sanitary requirements of hairdressers['], cosmeticians['], and electrologists['] shops and schools, shall be guilty of a misdemeanor, and shall be fined not to exceed \$100, or shall be imprisoned for not more that 90 days, or both.

Barbers—License—Serving Persons Afflicted with Communicable Diseases Prohibited—Reports of Communicable Diseases by—Fumigation of Barber Shops and Schools—Revocation of Barber School License. (Ch. 72, Act March 17, 1927)

Sec. 3. Application for license, how obtained; examination; fees.— * * * If the department is satisfied that the applicant is * * * free from contagious or infectious disease (certified to by a legally qualified physician), * * * and that he is possessed of sufficient knowledge of diseases of the face and skin to recognize them and refuse service, and that he has a thorough knowledge of the sanitary requirements of a barber shop or school in this State, said department of registration shall thereupon issue him a license upon a payment of a license fee of \$5 authorizing him to practice barbering in this State: Provided, That if the applicant fals to qualify in workmanship or sanitary knowledge, he may continue to practice as an apprentice, under a licensed barber, until some subsequent examination designated by the department of registration, when he shall again be examined upon payment of an additional fee of \$5.

Sec. 8. Barbers not to serve persons with contagious or infectious disease; report; fumigate shop or school.—No person practicing barbering in this State shall knowingly serve a person afflicted with any contagious or infectious disease, but it shall be his duty to report the case to the department of registration, or local health officer. No person so afflicted shall be served or apply for service in any barber shop or school in this State, until he has first obtained a clean bill of health from a medical practitioner. The director of registration, the secretary of the State board of health and their deputy or deputies shall each of them have authority to fum gate, at the expense of the person in charge, any barber shop or school where any contagious or infectious disease has been contracted, or where a person having such disease has been served.

Sec. 10. Revocation of license; appeal; regranting license.—The department of registration may revoke the license or certificate of any barber, apprentice, or teacher for * * * (b) habitual use of intoxicants or narcotics, (c) con-

tagious or infectious disease, * * * (f) the keeping of a shop and its furnishings, or the tools, utensils, or appliances used therein, in an unclean or unsanitary condition, * * (h) violating any rule of the State board of health prescribing sanitary requirements of barber shops and schools.

prescribing sanitary requirements of barber shops and schools.

The license of a school may be revoked if it is conducted in an unsanitary manner or if it violates any rule of the department regulating the conduct of

barber schools, * * *
Sec. 12. Practicing without license.—Any person * * * violating any of the provisions of this act, or any rule of the State board of health prescribing sanitary requirements of barber shops and barber schools, is guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail not less than 10 days nor more than 90 days.

SEC. 14. Chapter repealed.—Chapter 122,4 laws of Utah, 1925, is hereby repealed.

Barber Shops and Barber Schools—Sanitary Requirements. (Reg. Dept. of Registration and Bd. of H., 1927)

Rule 1. The use of barber shops as living, dining, or sleeping apartments is prohibited.

Rule 2. The floors, walls, furniture, and fixtures of barber shops shall at all times be kept clean.

Rule 3. The location of a barber shop in a store, pool room, or restaurant is prohibited.

RULE 4. Every barber shall supply clean hot and cold water in such quantities as may be necessary to maintain sanitary conditions. Where running water is available connections must be made.

RULE 5. No owner or manager of a barber shop or barber school shall permit any person suffering from a venereal or other communicable disease to act as a barber in said shop or school.

Rule 6. No barber shall knowingly serve a person afflicted with erysipelas, eczema, impetigo, sycosis, tuberculosis, syphilis, or any other contagious or infectious disease. Any person so afflicted is prohibited from being served in any barber shop, barber school, or college.

Rule 7. Tweezers, needles, and all other instruments used for the removal of hair, blackheads, or the opening of pimples must be thoroughly sterilized in each case before being used on any individual, but no such instrument shall be used without the previous consent of the person being served.

Rule 8. A sufficient supply of clean towels must be kept on or near each workbench and every barber must use separate and clean towels for each customer and shall while serving a customer wear washable outer linen or coat, which shall at all times be kept clean. After once used the towels must be immediately discarded and placed in a receptacle for holding soiled linen until

Rule 9. Every barber chair shall be equipped with paper roll on headrest and the same shall be supplied with clean paper before permitting it to be used by a customer.

Rule 10. No barber shall shave any person when the surface to be shaved is inflamed or broken out or contains pus.

RULE 11. Combs must at all times be kept clean and sterilized. Brushes should not be used. If used they must be sterilized.

RULE 12. Every barber shall thoroughly cleanse his hands immediately before serving each customer. Liquid soap must be kept available for such purpose.

RULE 13. Powder or liquid only shall be used to stop bleeding.

Rule 14. All shaving cups and lathering brushes must be thoroughly cleaned with hot water before using on any customer.

RULE 15. The use [of] finger bowls, sponges, lump alum, and powder puffs are [is] prohibited.

Rule 16. All tools used upon a customer, including face bob on massage vibrator, must be cleaned or sterilized in accordance with the instructions of the department.

Rule 17. License cards must be conspicuously displayed in front of the working chair.

⁴ Supplement 59 to Public Health Reports, p. 460.

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RULE 18. Any person employing an apprentice who has had less than six months' school training must be able to teach and instruct (or furnish such instructions), to said apprentice on the curriculum as adopted for barber schools.

Barber Schools-Sanitary Requirements. (Reg. Dept. of Registration, 1927)

- 4. Schools are required to use a clean, fresh towel or towels on each patron, whether service is free or otherwise. Managers, supervisors, and instructors shall be held responsible for the enforcement of this rule, and the violation thereof by a student or anyone connected with the school will be considered grounds for the revocation of the instructor's and student's license to practice or instruct.
- 9. The ceiling, walls, and floors of each schoolroom and the furnishings thereof shall be kept in a thoroughly clean and sanitary condition.
- Noxious Weeds, Garbage, Refuse, and Unsightly and Deleterious Objects or Structures—Destruction, Removal, or Abatement Authorized in Secondclass Cities—Appointment and Duties of City Inspector. (Ch. 51, Act March 14, 1927)

Section 1. Authority of city commissioners; appointment of inspectors.—The city commissioners of cities of the second class are hereby authorized and empowered to designate and declare and regulate the abatement of injurious and noxious weeds, garbage, refuse, or any unsightly and deleterious objects or structures, and to appoint a city inspector for the purpose of carrying out the

provisions of this act.

SEC. 2. City inspector's duty; notice to property owner.—It shall be the duty of such city inspector to make careful examination and investigation, as may be provided by ordinance of such cities, to the growth and spread of such injurious and noxious weeds, and to garbage, refuse, or unsightly and deleterious objects or structures; and upon the discovery of the same, it shall be further the duty of such inspector to ascertain the names of the owners and description of the respective premises and to serve such notice in writing upon the owner, owners, or occupant of said land, either personally or by mailing said notice, postageprepaid, addressed to the owner, owners, or occupant, at the last known post-office address as disclosed by the books and records of the county assessor, and to order and require such respective owner, owners, or occupant, as the casemay be, to eradicate, or destroy and remove said weeds, garbage, refuse, unsightly or deleterious objects or structures within such time as said inspector may designate, which shall not be less than 10 days from the date of serviceof said notice. One notice shall be deemed sufficient on any lot or property for the entire season of weed growth during that year. The inspector shall make proof of service of said notice under oath and file the same in the officeof the county treasurer.

SEC. 3. City inspector to remove deleterious matter if property owner neglects to do so.—If any owner, owners, or occupant of the said lands described in said notice service [served] by said inspector shall fail or neglect to cut, destroy, or eradicate said weeds, or remove and abate the said garbage, refuse, unsightly or deleterious object or structure upon said premises, in accordance with said notice, it shall be the duty of the said inspector, at the expense of the city, to employ necessary assistance and to cause such weeds, garbage, refuse, unsightly and deleterious objects or structures to be removed or destroyed. He shall thereupon make, in triplicate, itemized statements of all expenses incurred in the removal and destruction of the same and shall deliver the three copies of said statement to the county treasurer within 10 days of the date of the completion of the work of removing said weeds, garbage, refuse, and unsightly and deleteri-

ous objects or structures.

SEC. 4. County treasurer to mail statement; hearing; enter on tax rolls.—Upon receipt of the itemized statement of the cost of removing and abating said weeds, refuse, garbage, or unsightly and deleterious objects or structures, it shall be the duty of the county treasurer forthwith to mail one copy to the owner of the land from which such weeds, garbage, refuse, or unsightly and deleterious objects or structures were removed, together with a statement that objection in writing may be made to the whole or any part of the statement so filed, to the board of county commissioners within 30 days. The county treas-

arer shall at the same time deliver a copy of the statement to the clerk of the board of county commissioners. If objections to any statements are filed with the county commissioners they shall set a date for hearing, giving notice thereof, and upon the hearing fix and determine the actual cost of removing the weeds. garbage, refuse, or unsightly or deleterious objects or structures and report their findings to the county treasurer. If no objections to the items of the account so filed are made within 30 days of the date of mailing said itemized statement it shall be the duty of the county treasurer to enter the amount of such statement on the assessment rolls of the county in the column prepared for that purpose, and likewise within 10 days from the date of the action of the board of county commissioners, upon objections filed, to enter the amount found by the board of county commissioners as the cost of removing and abating the said weeds, refuse, garbage, or unsightly and deleterious objects and structures in the prepared column upon the tax rolls. If current tax notices have been mailed, said taxes may be carried over on the rolls to the following year. After the entry of the costs of removing the said weeds, garbage, refuse, or unsightly and deleterious objects or structures by the county treasurer, as hereinbefore provided, the amount so entered shall have the force and effect of a valid judgment of a court of competent jurisdiction, and shall be a lien upon the lands from which the weeds, refuse, garbage, or unsightly and deleterious objects or structures were removed and abated, and shall be collected by the county treasurer at the time of the payment of general taxes, [:] upon payment thereof receipt shall be acknowledged upon the general tax receipt issued by the treasurer.

Sec. 5. "Unconstitutional" provision.—If any section, subsection, sentence, clause, or phrase of this act is for reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses, or phrases be declared unconsti-

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tutional.

VERMONT

Certain Communicable Diseases—Attendance at School of Children Exposed to. (Reg. Bd. of H., June 2, 1927)

In cases of exposure to mumps, measles, German measles, and chicken pox, children may be allowed to attend school for 10 days after the exposure, and should then be kept out of school for at least a week.

Rabies—Prevention of Spread—Quarantine of Towns, Counties, or State— Requirements Governing Dogs. (No. 110, Act March 9, 1927)

Section 1. In the case of an outbreak within this State of the contagious and infectious disease known as rabies or hydrophobia, if the department of agriculture and the State board of health in their judgment believe that local ordinances or quarantines will not serve to prevent the spread of the disease, the said department of agriculture and the State board of health, acting jointly, shall be empowered to order and act as follows:

SEC. 2. With the approval of the governor, any town, county, or the entire State may be placed under quarantine for such time as may be considered

necessary.

Sec. 3. When a quarantine is established as provided in section 2 of this act, notice of such quarantine shall be sent to the chairmen of boards of selectmen, mayors of cities, health officers, town and city clerks in each town or city in the quarantined area. Notice of such quarantine shall be printed in one or more

newspapers circulating in said quarantined area.

SEC. 4. When a quarantine has been established as provided in section 2 of this act, and while such quarantine is in effect, no town or city clerk in the quarantined area shall issue a license for any dog unless the owner of said dog shall first present a certificate signed by a physician or registered veterinarian, stating that said dog has within six months been vaccinated with antirables vaccine.

Sec. 5. All dogs vaccinated as provided in section 4 of this act shall carry a

numbered vaccination tag fastened to the collar.

SEC. 6. After a quarantine has been established as provided in this act no dog in the quarantined area shall be allowed out of doors unless said dog is muzzled and is restrained by leash and is accompanied by its owner or other person. The provisions of this section shall not apply in cases where a dog has been vaccinated as provided in section 4 of this act and where a period of 21

days has elapsed since such vaccination.

SEC. 7. It shall be the duty of every officer having authority to enforce State laws or local ordinances, when any dog within a town or city is believed to be rabid, or is known to have been attacked by a dog that is rabid or has been running at large in violation of any of the provisions of this act, to cause said . dog to be confined or impounded. If the selectmen of said town or mayor of said city shall be satisfied that said dog is rabid, or has been attacked by a rabid dog, or has been running at large in violation of any of the provisions of this act, said selectmen or mayor shall order that such dog be killed: Provided, That the said selectmen or mayor, in their discretion, in all cases in which it does not appear that such dog is rabid or has been exposed to rabies, may deliver said dog to the owner: Provided further, That in all cases in which it is impractical to confine or impound said dog or when the owner of a dog confined or impounded can not be ascertained, the said town or city officers may immediately order said dog to be killed. Nothing in this section is to be construed as preventing any person from killing any rabid dog which attacks any person or domestic animal, and a person so killing a dog shall not be held liable for damages for such killing.

Sec. 8. Officers shall be entitled to the same fees for killing dogs under the provisions of this act as are provided in section 6727 of the general laws. The owner of an impounded dog, or the town, in case such dog is unclaimed, shall be liable for all legal fees concerning such dog.

SEC. 9. Any person violating any of the provisions of this act shall be fined

not less than \$10 nor more than \$100 for each offense.

Sec. 10. Justices shall have concurrent jurisdiction with county, municipal, or city courts of offenses arising under this act.

Rabies-Prevention-Control of Dogs. (Reg. Bd. of H., March 4, 1927)

(a) That owners of dogs in the State of Vermont shall securely confine said dog or dogs to the immediate premises of the owner, except that a dog may be taken from the immediate premises when properly muzzled and securely held on leash by a responsible person,

(b) Dogs showing any symptoms of rabies shall be securely chained and confined within a building while under observation. If such dogs are found running at large, they may be immediately destroyed.

(c) Sheriffs, constables, and police officers are hereby directed to impound all dogs found, contrary to this order, on highways or public streets, or off the premises of the owner. Such dogs shall be kept for a reasonable time, after which, if not claimed, they shall be humanely destroyed.

Charges against impounded dogs are to be collected from the owners when

claimed or from the town in case no owner is found.

(d) It is recommended that all dogs be injected with prophylactic doses of antirabic vaccine.

(e) Local boards of health may make additional rules and regulations in accordance with section 6226, General Laws of Vermont,

Dogs Brought into State—Control. (Reg. Bd. of H., June 2, 1927)

All dogs brought into the State must be kept muzzled and on lease unless they have been vaccinated against rabies within six months and until three weeks have elapsed after such vaccination.

Schools—Appointment and Compensation of Medical Inspectors—Continuance of Medical Inspection. (No. 33, Act February 22, 1927)

Section 1. Section 1313 of the general laws is hereby amended so as to read as follows:

SEC. 1313. The board of school directors may appoint one or more medical inspectors for the schools in the town district. The compensation of such inspectors shall be fixed by said board and paid out of the funds appropriated for

school purposes.

Sec. 2. Section 1 of No. 56 of the acts of 1921 is hereby amended so as to

read as follows:

SECTION 1. In a town school district which, pursuant to the provisions of section 1313 of the general laws, has medical inspection of schools, such inspection shall be continued until the school directors on their part or the town school district, at any regular or special meeting duly warned for that purpose, votes to discontinue such inspection.

Physicians and Registered Nurses-Appropriations Authorized to Secure . Establishment of, in Towns and Villages. (No. 56, Act March 4, 1927)

Section 1. Section 1 of No. 100 of the acts of 1921 is hereby amended so as to read as follows:

"Section 1. A town or incorporated village may at any annual or special taxpayers' meeting when an article for such purpose has been duly inserted in the warning appropriate not to exceed \$1,000 to be paid by said town or incorporated village annually to secure a regularly licensed physician to establish himself therein and towns or incorporated villages may appropriate not to exceed \$500 to be paid by said towns or incorporated villages annually to secure a registered nurse to establish himself therein.'

¹ Supplement 45 to Public Health Reports, p. 573.

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Birth, Death, and Marriage Records—Filing and Indexing—Furnishing of Certified Copies. (No. 7, Act March 22, 1927)

Section 1. Section 380 of the general laws is hereby amended so as to read

Sec. 380. Returns of births, marriages, and deaths required to be made to the office of said secretary under the provisions of section 2 of No. 104 of the acts of 1910, shall be filed and indexed by said secretary so as to be readily available for reference. Said secretary shall, under his seal, upon payment of his fees, furnish certified copies of such returns, when same are required.

Bodies of Certain Persons—Permission to Embalm. Embalming Fluids—Sale, Use, Testing, and Approval. (No. 109, Act March 9, 1927)

Section 1. Section 6169 of the general laws, as amended by section 3 of No. 117 of the acts of 1923, is hereby amended so as to read as follows:

Sec. 6169. A person shall not embalm and introduce any fluid into a body of a person who has died under suspicious circumstances or where a criminal cause of death is suspected, until after a legal investigation has determined the facts; but it shall be the duty of an embalmer forthwith to report any such case to the local health officer, or a majority of the board of selectmen, and obtain permission to embalm the body. No person shall embalm or introduce any fluid into a human dead body unless he is a registered or licensed embalmer or performs such act by the direction of an embaimer and in his presence.

SEC. 2. The sale or use for embalming purposes of any fluid containing arsenic, zinc, mercury, copper, lead, silver, antimony, chloral, or cyanogen, or of any compound containing any of these, or any poisonous alkaloid, is prohibited, and all brands of embalming compounds used within the State shall

be tested and approved by the State board of health.

Cattle—Tuberculin Testing Under Town Area Plan. (No. 12, Act March 16, 1927)

Section 1. The first paragraph of section 1 of No. 172 of the acts of 1925

is hereby amended so as to read as follows:

(1) Upon petition, signed by at least two-thirds of the owners of cattle in any town who must also be owners of 90 per cent or more of the cattle in such town as disclosed by the last listers' abstracts provided in section 2 of No. 15 of the acts of 1919, as amended, of said town and presented to the commissioner of agriculture, requesting that all cattle within such town be tested for tuberculosis, said commissioner is hereby authorized to make such test without expense to the owners thereof, to the extent of the funds provided therefor. Said commissioner shall appoint a time and place for hearing such petition, and notice of said hearing shall be posted in not less than three public places in said town and shall be published in at least one newspaper circulated in such town not less than 10 days before such hearing. At such hearing the commissioner shall examine and consider said petition and hear evidence in connection therewith and shall render his decision thereon, which shall be final. In case said commissioner grants such petition and undertakes the work, notice of such decision and the time when the testing will begin shall be given by posting notices in at least three public places in said town and publishing such notice in at least one newspaper circulating in said town.

SEC. 2. The second paragraph of subdivision 2 of section 1 of No. 17 of the

acts of 1925 is hereby amended so as to read as follows:

During such quarantine no milk or cream from cattle covered by said quarantine shall be sold, exchanged, bartered, or given away to be used for any food purposes whatsoever, until said milk or cream has been first pasteurized in accordance with regulations prescribed by said commissioner and approved by the State board of health. No other dairy products shall be traded, sold, exchanged, bartered, or given away unless said dairy products have been made from milk or cream pasteurized as provided in this section. The expense of such quarantine shall be paid by the owner or person in

² Supplement 59 to Public Health Reports, p. 468.

charge of such animals. Such quarantine shall remain in effect until the owner of said animals shall file with the commissioner of agriculture a signed agreement as provided in section 500 of the general laws, as amended, or until said owner has had all of said animals tested at his own expense by a veterinarian approved by the commissioner of agriculture.

SEC. 3. Subdivision 7 of section 1 of No. 17 of the acts of 1925 is hereby

amended so as to read as follows:

7. An indemnity shall not be paid by the State for animals condemned under this act unless the owner or owners of such cattle had, previous to the test, signed and filed with the commissioner of agriculture an agreement as provided by section 500 of the general laws, as amended. An indemnity shall not be paid by the State for any animal brought into a tested area in violation of the regulations adopted under the provisions hereof.

Sec. 4. A person shall not remove, deface, or obscure, or cause to be removed, defaced, or obscured a placard or notice posted by the commissioner of agriculture or his agent upon buildings or premises quarantined under this act. Justices shall have concurrent jurisdiction with county, municipal, and city

courts of offenses arising under this act.

SEC. 5. Section 2 of No. 17 of the acts of 1925 is hereby amended so as to read

as follows:

SEC. 2. The sum of \$15,000 is hereby appropriated for the purpose of carrying out the provisions of section 1 of this act for the fiscal year ending June 30, 1928, and a like sum for the fiscal year ending June 30, 1929. Of the sum appropriated for the fiscal year ending June 30, 1928, \$10,000 shall immediately become available.

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VIRGINIA

Administrative Code—Provisions Relating to Public Health. (Ch. 33, Act April 18, 1927)

SEC. 7. There are hereby created and established the following administrative departments of the State government:

(9) Department of health.

SEC. 18. * * *

(b) All the powers conferred, and all the duties imposed upon the board of agriculture and immigration, the commissioner of agriculture and immigration, and the former dairy and food commissioner by sections 3281 to 3289 of the Code of Virginia, in relation to shell fish, and any and all amendments of the said sections are hereby transferred to, vested in, and shall be exercised or performed by, the State board of health.

DEPARTMENT OF HEALTH

SEC. 20. The State board of health and the State health commissioner are continued, and except as otherwise provided in this act all existing provisions of law in relation to the said board and commissioner shall continue in force.

Associated agency.—The board of trustees of the Virginia State Diseased and Crippled Children's Hospital is retained.

SEC. 24. The following provisions of this act shall be in force upon and after

Sec. 24. The following provisions of this act shall be in force upon and after the 1st day of August, 1927:

* * section 7, in so far as it relates to the departments of * * health, * * *; * * section 20, in relation to the department of health; * * * All acts and parts of acts inconsistent with the provisions referred to in this section shall, to the extent of such inconsistency, be repealed

from and after the said 1st day of August, 1927.

SEC. 25. All the provisions of this act other than those mentioned in the preceding section of this act, and other than those contained in section 26 of this act, shall be in force upon and after the 1st day of March, 1928; and all acts and parts of acts inconsistent with such provisions shall, to the extent of such inconsistency, be repealed from and after the said 1st day of March, 1928; * * *

SEC. 26. * * *

If any part or parts, section, subsection, sentence, clause, or phrase of this act is for any reason declared unconstitutional, such decision shall not affect the validity of the remaining portions of this act.

Oysters and Clams—Examination or Analysis—Taking, Preparation for Market, Possession, and Sale Unlawful When—Transfer from Condemned Areas to Sanitary Areas—Inspection of Packing Houses, etc.—Enforcement of Act. (Ch. 116, Act April 21, 1927)

1. That sections 3281, 3282, 3283, 3284, 3285, 3286, 3287, and 3289 of the Code

of Virginia be amended and reenacted so as to read as follows:

SEC. 3281. Examination, analysis, and inspection of oysters and clams, oyster packing houses, and other places at which oysters are sold for market.—For the purpose of protecting the oyster and clam industries of the State of Virginia, as well as the public health of the country, and preventing the sale of oysters and clams which are deemed unfit for market, the health commissioner of this State is hereby directed, in his discretion, or at the request of the governor, or the commissioner of fisheries, to make an examination or analys s of the oysters or clams, by either of the aforesaid officers, whether on the oyster planting or

clamming grounds, in oyster packing houses, or in any other place or places in this State from which such oysters and clams are to be taken or sold for food purposes. And the said health commissioner in making such examination of oyster packing houses, or other places so designated, shall examine as well not only the oysters or clams therein, but the packing houses and plants wherein they are handled, as well as the sanitary conditions surrounding the same.

SEC. 3282. Designation of oyster and clam grounds on which are oysters and clams unfit for market.—When the health commissioner is satisfied, as a result of an examination, analysis, or inspection made pursuant to section 3281, that the oysters and clams upon such ground, or in such packing houses, or other place where they are sold, or offered for sale, as in said section 3281 described, are unfit for market, or that such packing house or other place is so unsanitary as to render it an unfit place in which to prepare oysters and clams for market, he shall notify the commissioner of fisheries, and the owner or operator of such oyster or clam ground, packing house, or other place, of such fact.

Upon receipt of such notice, the owner or operator of such oyster or clam ground, packing house, or other place, shall cease to take oysters and clams from such ground, except as is provided in section 3284 and section 3285, and shall cease to prepare for market, or to sell, or offer for sale, or to dispose of, in any manner, oysters or clams in such packing houses or other place, as here n mentioned, until the cause for such notice shall have been removed or relieved

to the satisfaction of said health commissioner.

And the said health commissioner may establish, alter, and change, in his discretion, at any time, standards which shall control the marketing of oysters and clams; and he shall be the sole judge as to whether or not such oysters

and clams are fit for market and also of such standards.

When from the examinations provided for in section 3281 of this act, the health commissioner is satisfied that the oysters and clams upon any ground in this State are unfit for market, he shall, in collaboration with the commissioner of fisheries, cause the limits or boundaries of such area upon which such oysters and clams are located or planted to be condemned and to remain so until such time as the health commissioner shall find such oysters and clams relieved from the condition existing at the time of such examination, and fit for market.

SEC. 3283. Oysters and clams upon the grounds in this State unfit for market not to be removed.—When it shall be determined by the health commissioner that the oysters and clams upon any ground in this State are unfit for market, and the owner of such ground has been notified of that fact by the health commissioner or the commissioner of fisheries, or such ground has been condemned, as provided in section 3282, it shall be unlawful for any person, firm, or corporation, to take oysters or clams from such area for any purposes except as

provided in section 3284 and section 3285.

SEC. 3284. Permit for removal of oysters and clams from private grounds.—When oysters or clams, located upon any private grounds under lease or deed, have been condemned as provided by sections 3281 and 3282 and the owner or owners thereof desire to remove them to another area where they may be cleaned and made fit for market, such oysters and clams may be removed for such purpose, provided that the owner or owners shall first secure a permit from the commissioner of fisheries in writing, and said commissioner is hereby authorized to grant such permit in his discretion, under such rules and regulations as he may prescribe.

When such oysters and clams have been removed under such a permit, it shall be unlawful to dispose of same for market in any manner until the health commissioner has declared them to have passed examinations and tests satisfactory

to him, and the commissioner of fisheries notified thereof.

Sec. 3285. Permit for removal of oysters and clams from public grounds.—When oysters and clams located upon grounds belonging to the State (public grounds) are found to be unfit for market, as provided in sections 3281 and 3282, they may be removed by those holding tongers licenses for ordinary tongs, from the said public grounds, upon permits granted by the commissioner of fisheries in his discretion, but only during the period from May 1 to August 15, and only for the purpose of transferring such oysters and clams to areas where they may be cleansed and made fit for market. When such oysters and clams shall have been so removed, as provided in this section, it shall be unlawful to again remove them until they have been declared by the health commissioner, in writing, to have passed examinations and tests satisfactory to him.

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SEC. 3286. It shall be a violation of the provisions of section 3283 for any person, firm, or corporation, to have in their possession, to store, to sell, or offer for sale, any oysters or clams which have been unlawfully removed from oyster and clam grounds contrary to the provisions of sections 3284 and 3285.

SEC. 3287. What officers charged with the enforcement of the six preceding sections may do: penalties and disposition of fines.—For the purpose of carrying out the provisions of the six preceding sections, the health commissioner and the commissioner of fisheries, and such agents or assistants of either of the said commissioners as are now or may be hereafter appointed, may enter upon any premises located in the State of Virginia, or upon any boat, vessel, barge, car, or other conveyance, wharf, packing or shucking house, store, stall, or other place where oysters and clams may be found, and if it appears that the provisions of said sections, or any of them, have been violated, may, with or without a warrant, arrest any person or persons, who are, or who have been, or who are believed to be, or have been in charge of such oysters and clams, and may seize, in the name of the Commonwealth of Virginia, and take possession of such oysters and clams, and may seize and take possession of any boat, vessel, barge, car, or other conveyance, used in violation of the provisions of said sections, together with the cargo of any such boat, [or] vessel, which may be held till the accused has paid the penalty for his offense, if upon trial he is found guilty, or has upon trial been acquitted, as the case may be. Any person or persons impeding, hindering, or interfering with the said commissioners, their agents or assistants, or persons appointed by them or either of them, in the discharge of their duties in carrying out the provisions of said sections, and any person or persons, firm or corporation who shall violate any of the provisions of said sections, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 for the first offense, and for any subsequent offense not less than \$50, or may be punished by imprisonment, not exceeding one year, or both, in the discretion of the court trying the case. assessed and collected hereunder, shall be paid into the treasury of this State, through the oyster officials, as in the case of all other fines imposed and collected for violation of the oyster laws; and in addition to the penalties herein provided. the oysters and clams taken from such areas, contrary to the provisions of said sections, shall be forfeited to the Commonwealth. When an oyster inspector is directly instrumental in apprehending and bringing to trial an offender against whom a fine is imposed and collected, under said sections, one-fourth of the fine shall go to the said inspector, and the remaining three-fourths shall be paid into the treasury, as aforesaid.

Sec. 3289. Who to enforce eight preceding sections; rules and regulations; duty of Commonwealth's attorneys.—The health commissioner and the commissioner of fisheries of this State are hereby charged with the enforcement of the provisions of the eight preceding sections, and, for the purpose of carrying out their provisions, they are hereby authorized to make uniform rules and regulations, and it shall be the duty of the attorney for the Commonwealth to whom they, or either of them, shall report any violation of said sections, to cause proceedings to be commenced and prosecuted, without delay, for the fines and

penalties in such cases provided.

Upon the taking effect of this section as hereby amended, the commissioner of agriculture and immigration shall immediately turn over to the State health commissioner all of the floating and other equipment heretofore used by the commissioner of agriculture and immigration in performing the duties imposed by sections 3281 to 3289, inclusive, of the Code of Virginia.

Shellfish—Taking, Handling, Storage, Shucking, Packing, Shipment, and Sale—Records Concerning. (Reg. H. Commissioner, May, 1927)

1. Shellfish defined.—For the purpose of these regulations the term "shell-fish" is hereby declared to mean and include oysters, scallops, and all varieties of clams.

2. Growing areas.—No shellfish shall be taken from any waters within the State of Virginia except from such grounds or growing areas as have been

approved by the State health commissioner.

3. Sources in other States.—No shellfish from other States shall be shipped into, or sold, or offered for sale, in the State of Virginia, except such as shall be from sources approved by the State authorities controlling certification of shellfish in such States.

4. Floating.—Shellfish shall not be floated, stored, or cleansed in water the standard of purity of which is not as rig.d as that prescribed for growing areas or beds, and of which the salinity is not such as required for the growth of such shellfish.

5. Boats.—All boats used in the taking and handling of shellfish shall be kept in such a state of cleanliness and repair that shellfish hauled or stored thereon shall not be subject to contamination by bilge water, through leakage of polluted water or by other means. Decks, holes [holds?], or bins used for storage on boats shall not be washed with polluted water.

6. Storage.—Shellfish held in storage must be so kept at all times that they

will not become contaminated.

7. Records.—Every person, firm, or corporation who conducts any wholesale business of buying, selling, or shipping shellfish shall keep an accurate daily record which shall show the names and addresses of all persons from whom lots are received, the source of each lot, and the names and addresses of all persons to whom lots are sold or shipped. Such records shall be open to inspection at any time during business hours by any duly authorized representative

of the State of Virginia.

8. Shucking and packing plants.—(1) Sanitation: It is essential that sanitary precautions be observed not only at the plants but at the homes of the plant employees. At homes there shall be sanitary toilets or sanitary privies; and the conditions around the homes shall be sanitary. At the plants sanitary toilets or privies must be provided for the employees. These toilets or privies must be separated from the shucking or packing rooms; and they must conform to the regulations of the State board of health in regard to location and construction.

The State board of health issues bulletins describing in detail how toilets or privies should be constructed. Its privy bulletins also give instruction regarding location. Copies of any of these bulletins or copies of all will be

sent on request.

(2) Construction.—(a) Lighting and ventilation shall be adequate in all

parts of the building used.

(b) Shucking rooms shall be separate from the shellfish washing and pack-

(c) Floors shall be so constructed that they may be thoroughly cleaned, and that drainage of all water therefrom shall be complete and rapid.

(d) Storage bins or storage rooms for shellfish shall be so constructed as to

admit of thorough cleaning and drainage.

(e) Shucking benches or tables of an approved sanitary type must be provided. The following types meet this requirement when constructed so as to permit thorough cleaning and drainage: (1) Any table, with cover of slate, or stone, or concrete, smooth finished and of sufficient thickness to prevent cracking. (2) Any table, with cover of metal. If flexible metal, that will give under the weight of the shellfish and buckets, is used, all joints must be soldered and said cover kept water-tight at all times.

(f) The placing of shelves or anything else on the side walls of the packing

room so as to overhang the working apparatus is forbidden.

(g) Refrigeration rooms or ice boxes for the retention of shellfish must be so constructed as to permit thorough cleaning. It is recommended that the floor be constructed of concrete and that the ice box have a lining that does not leak.

(3) Equipment.—(a) There shall be an abundant supply of unpolluted, running cold water and running scalding hot water in both shucking and packing

rooms (when the plant is in operation).

(b) Lavatories, with hot and cold running water, shall be provided, together

with liquid soap and paper towels.

(c) Utensils: Shucking pails, measures, skimmers, and colanders, tanks, tubs, and paddles shall be made of noncorrosive, nonrusting, smooth, impervious material, and constructed in such manner as to eliminate grooves, seams, and cracks were food particles and slime will collect. All seams and joints shall be well filled with solder and dressed to a smooth surface. The handles of opening knives shall be so constructed as not to contain cracks and crevices which would retain food particles and slime.

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(d) If buckets of water are used by shuckers in which to dip hands, knives, and hammers while shucking shellfish, the buckets shall be made of noncorrosive, nonrusting, smooth material, and be thoroughly cleaned and scalded at

least three times each day while in use.

(4) Operation.—(a) General cleanliness: During the operating season the plant shall be used for no purpose other than the handling of shellfish or other sea foods. Material foreign to this particular business shall not be stored within the operating part of the plant. All abandoned equipment shall be removed from the plant, and the floors kept clear for thorough cleansing. The unoccupied portion of the storage bins, the shucking benches, and all the floors shall be swept and flushed with water of an approved quality at least once every day, at the completion of the day's run, until they are thoroughly clean. A safeguard recommended is that of following the cleansing with a thorough flushing with scalding water or a solution of calcium or sodium hypochlorite of approved strength. This treatment is particularly advisable in the case of shucking benches. Refrigeration rooms or ice boxes shall be washed out once a week, or more often, if necessary; once a week the cleansing shall include the washing of walls.

(b) Personal cleanliness; All employees shall wash their hands thoroughly with hot water and soap on beginning work and after each visit to the toilet. Signs to this effect shall be posted in conspicuous places in the plant by the operator. The outer clothing worn by persons engaged in shucking shellfish must be kept reasonably clean. Rubber aprons and rubber sleeves are

recommended

(c) Sterilization: An adequate supply of scalding water shall be available for the sterilization of utensils. All utensils and tools, such as opening knives, shucking pails, measures, skimmers, colanders, tanks, tubs, and paddles, which come in contact with the shellfish, shall be thoroughly scoured until clean, and then sterilized by steam or scalding water. Such sterilization may be carried out before beginning work, or at the close of the day if the articles are stored over night so as not to become contaminated. Returnable shipping cans must be cleaned and sterilized by steam or scalding water prior to refilling. The use of shipping containers other than metal for shucked stock is not approved.

(d) Floors of shucking plants shall not be used for the storage of shellfish unless such floors are so arranged with gutters or risers that no drippings or other liquids from the shucking tables can get to the stored stock; and such storage place shall not be used as walkways. Shucking pails shall be so placed

as to exclude drippings from the hands of the shuckers.

(e) The "nesting" of the empty shucking pails shall not be permitted while

the plant is in operation.

(f) Refrigeration: The cooling of shucked shellfish must be effected as quickly as possible after the shellfish are shucked. For the refrigeration of shucked stock, outside container shall be provided for ice, and no ice or other foreign substance shall be allowed in contact with the shellfish. A temperature above freezing, but less than 50° F., shall be maintained in refrigerators where

shellfish are stored.

(g) Washing shucked stock: Shucked shelifish shall be washed with water of an assured purity. This washing must be of such a thorough nature that dirt and grit introduced by the openers or during subsequent handling shall be effectively removed. If a blower or any form of mechanical agitator is used to wash the shellfish it must be kept clean. The sediment must be removed after each blowing, and a fresh supply of water used for each blow. Reuse of water in washing shucked shellfish is forbidden. The period of blowing should not be over three minutes, unless salt solution be used. The strength of this solution should range between 1 and 2 per cent, depending upon the salinity of the water in which the shellfish are grown:

(h) Waste disposal: Shells, washing, and other wastes shall be disposed of

in such manner as not to cause a nuisance.

(i) All water that comes in contact with the shucked shellfish must be drawn direct from the pipes. No dipping from tubs or other receptacles of water that is to come in contact with the shucked shellfish is allowed.

(j) After shucked shellfish have been washed and are ready for final packing

and shipment, they shall not be touched by the hand.

(5) Communicable diseases.—(a) Examination of employees: All applicants for employment shall be inspected to observe any evidence of active infection, and questioned as to whether the applicant has previously suffered an attack of typhoid (or paratyphoid) fever, or has recently been in intimate contact with any such case. This examination should preferably be made by a physician, but, if this is not practicable, it shall at least be made by an intelligent and competent person under instructions from the State or local health department, and all suspicious cases shall be referred to a physician. No person who

has any communicable disease, or any infected wounds on the hands or arms,

shall be employed or retained in any shucking or packing plant.

(b) Examination for carriers: In the case of any individual giving a history of a previous attack of typhoid fever or suspected typhoid, bacteriological examination of stool and urine, in the laboratory of the State board of health or in such other laboratory as the State health commissioner may designate and approve, shall be required. Any carriers of typhoid (or paratyphoid) bacilli thus detected shall be excluded from employment.

9. Shucked stock, refrigeration and shipping.—(a) For refrigeration of shucked stock, outside containers shall be provided for ice, and no ice or other foreign substance shall be allowed in contact with the shellfish. Shucked stock shall be kept at a temperature of 50° F. or below from the time it leaves the shipper until it reaches the consumer, but shall not be allowed to freeze.

(b) Shucked shellfish shall be kept in containers sealed in such manner that

(b) Shucked shellfish shall be kept in containers sealed in such manner that tampering is easily discernible, and marked with the name and identification marks of the shipper or packed. Shipments shall be tagged or labeled so as to show the name and address of the consignee and the certificate number of the shipper.

(c) All shucked stock received by wholesalers or retailers shall be kept in the original sealed containers, which shall not be opened except as required for

dispensing by the retailers.

10. Plants handling shell stock only.—In general terms the rules governing the construction and equipment of shell stock plants shall be the same as for shucking plants. Such plants must be operated in the same cleanly way. The plant must be clean and the employees must be clean. For the protection of the public against communicable diseases the rules governing shucking plants will be rigidly enforced for the shell stock plants.

The rule regarding the storage temperatures is the same for shell stock as for

shucked oysters.

Shell oysters and clams will be packed in new barrels, boxes, or sacks plainly marked with the name and address of the shipper, the name and address of the consignee, and the certificate number of the shipper.

Tax on Oysters from Public Oyster Rocks of State—Use of Funds for Bacteriological Work in Connection with Shellfish. (Ch. 118, Act April 21, 1927)

[This act amends and reenacts chapter 387, laws of 1926. Sections 7 and 8

of said act, as amended, read as follows:]

Sec. 7. The net revenue derived from this act, or so much thereof as is necessary, shall be used for bacteriological work, as required by the State board of health of this State for protecting and developing the oyster and clam industry of Virginia, and the public health, and shall be expended under the direction of the governor.

SEC. 8. On and after January 1, 1928, the revenue derived from this act shall go into the general fund and be appropriated out under the budget.

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Communicable Diseases—List of Reportable Diseases—Diseases Requiring Absolute Quarantine, Modified Quarantine, and Special Restrictive Measures. Chicken Pox and Mumps—Control Measures. Venereal Diseases—Reports of Cases by Local Health Officers to State Director of Health. (Reg. Bd. of H., August 29, 1927)

SEC. 15. Group 1. Common communicable diseases-

Cerebrospinal meningitis (meningococci, tuberculous).

Chancroid.

Chicken pox. Diphtheria (membranous croup).

Dysentery (a) amebic, (b) bacillary. Encephalitis lethargica.

Enterocolitis. Erysipelas.

Favus. German measles.

Gonorrhea. Impetigo contagiosa.

Influenza (flu, grippe, la grippe, Spanish flu, 3-day fever).

Measles.

Malta fever.

Distomiasis.

Mumps. Ophthalmia neonatorum. Paratyphoid fever, A and B. Pneumonia (lobar, bronchial).

Poliomyelitis (infantile paralysis, acute, infectious).

Puerperal septicemia.

Scabies (itch). Scarlet fever (scarlatina, scarlet rash)

Septic sore throat.

Smallpox. Syphilis. Trachoma.

Tuberculosis (all forms, the organ or part affected in each case to be

specified). Typhoid fever. Vincent's angina. Whooping cough.

Group 2. Less common communicable diseases-

Actinomycosis. Malaria. Anthrax. Pellagra. Echinococcus. Rabies. Glanders.

Tularemia.

Rocky Mountain tick or

spotted fever. Tetanus.

Trichinosis.

Group 3. Imported communicable diseases-

Japanese lung fluke. Asiatic cholera. Beriberi. Other flukes. Dengue. Leprosy. Hookworm. Malaria.

Relapsing fever. Typhus. Yellow fever.

Group 4. Miscellaneous reportable diseases-

Botulism poisoning. Cancer.

Other food poisoning. Continued fever lasting seven days.

Sec. 17. Diseases requiring absolute quarantine.—The following diseases require absolute quarantining as specified in section 16:

Bubonic plague. Scarlet fever. Yellow fever. Diphtheria. Smallpox. Cholera.

Plague.

Sec. 19. Diseases requiring isolation or modified quarantine.—The following diseases require quarantining as specified in section 18:

Whooping cough. Chicken pox. Cerebrospinal meningitis Measles. Mumps. (meningococci). German measles. Poliomyelitis. Septic sore throat. Epidemic encephalitis.

Provided, That if the disease is German measles, chicken pox, or mumps, the members of the family not attending the patient will not be subject to quarantine as specified in section 18 (b).

Sec. 21. Diseases requiring special restrictive precautions.—The following diseases require special restrictive measures as specified in section 20:

Tuberculosis. Scabies. Dysentery (amebic and Trachoma. Influenza. specific bacillary). Onhthalmia neonatorum. Glanders. Syphilis. Enterocolitis (epidemic). Actinomycosis. Gonorrhea. Paratyphoid. Hookworm. Pneumonia. Malta fever. Favus. Typhoid. Typhus. Leprosy. Tularemia. Erysipelas. Anthrax. Impetigo contagiosa. Rabies.

Sec. 29. Chicken pox.—(e) Attendance at school is forbidden for any child of the family who has not been vaccinated within the past seven years, as mild smallpox closely resembles chicken pox and is often mistaken for it. It is imperative that on the occurrence of chicken pox in schools children be examined daily. Any child suspected of having chicken pox must be reported to the health officer.

Sec. 30. Mumps.—(d) Members of the family may come and go if they do not come in contact with the patient. Children in the family who have not had the disease may be allowed to attend school. This privilege is entirely subject to the authority of the health officer and may be withheld if in the judgment of the health officer public health demands.

Sec. 49. Venereal diseases.—(m) When any case of syphilis or gonorrhea or chancroid infection is reported to any city or county health officer, or when he shall receive any report from any laboratory regarding any such case, such health officer shall immediately make a correct copy of such report and forward same to the director of health.

Venereal Diseases and Sexual Disorders—Repeal of Certain Laws Relating to Advertisements Concerning the Treatment or Cure of. (Ch. 57, Act February 3, 1927)

Section 1. That chapter 78 of the laws of 1905, pages 142–143, and section 210 of chapter 249 of the laws of 1909, page 952, are hereby repealed.

Public Health Nurses—Who Are-Qualifications—Reports of Communicable Diseases by—Monthly Reports by Public Health Nursing Services. (Reg. Bd. of H., August 29, 1927)

SEC. 77. Definition.—(a) The term "public health nurse" is hereby declared to mean any registered graduate nurse engaged in any form of social work in which the health of the public is concerned, and includes county nurses, school nurses, tuberculosis nurses, Red Cross nurses, child welfare and maternity nurses, industrial nurses, publicly conducted clinic nurses, and all visiting nurses engaged in public health activities.

(b) Qualifications.—The requirements for nurses engaged in public health nursing in the State of Washington shall not be less than the standards required by the National Organization for Public Health Nursing.

(c) Communicable diseases.—When a public health nurse shall know or have reason to suspect that any person is afflicted with any contagious or infectious disease, not already reported, she shall immediately report such fact to the health officer having jurisdiction.

(d) Reports.—Each public health nursing service shall prepare a monthly report in duplicate on a form provided by the State department of health and shall mail on or before the 10th day of the succeeding month one copy to the State department of health and one copy to the jurisdictional health officer.

Milk and Milk Products—Terms Defined—Dairies Deemed Insanitary When—Sale—Pasteurization—License for Milk Vendors, Creameries, Milk Plants, etc.—Statistics Concerning Production and Sale of—Branding and Sale of Cheese—Milk Deemed Impure When—Bottling. (Ch. 192, Act March 3, 1927)

[This act, among other things, repeals section 6236 and amends sections 6164, 6165, 6174 (as amended by ch. 27, laws of 1923), 6192 (as amended by

¹ Supplement 49 to Public Health Reports, p. 383.

ch. 27, laws of 1923), 6193, 6201, 6203, 6226, 6227, 6232, 6235, 6272, and 6274 of Remington's Compiled Statutes, 1922. The said amended sections read as

Sec. 6164. That for the purpose of this act certain words, terms, and expres-

sions therein contained shall be construed as follows:

The term "dairy" shall mean any place where nrilk from two or more cows is produced for sale.

The term "creamery" shall mean any place, building or structure wherein milk or cream is manufactured into butter for sale at wholesale.

The term "milk plant" shall mean any place, building or structure wherein

milk is received for bottling, pasteurizing, clarifying or otherwise processing.

The term "cheese factory" shall mean any place, building or structure

wherein milk is manufactured into cheese.

The term "factory of milk products" shall mean any place, building or structure, other than a creamery, milk plant, cheese factory, or milk condensing plant, wherein milk or any of its products is manufactured, altered, changed or compounded into any article, compound or product designed and intended

The term "milk" shall mean the fresh, clean, lacteal secretion obtained by milking one or more healthy cows, properly fed and kept, and not obtained or taken within 10 days preceding the parturition of such cow or cows, nor within five days thereafter, and which contains not less than 8.5 per cent of milk solids, and not less than 3.25 per cent of fat: Provided, however, That nothing in this act shall prohibit the sale of the whole, unadulterated, and unskimmed milk of any cows whose milk tests below the butterfat standard herein fixed.

The term "skimmed milk" shall mean any milk from which the cream has been removed, or which contains less than 3.25 per cent of butterfat, and not

less than 8.8 per cent of milk solids exclusive of fat.

The term "sterilized milk" shall mean milk that has been heated to the temperature of boiling water, or to a higher temperature, and maintained at such temperature for a length of time which shall be sufficient to kill all organisms present in such milk.

The term "blended milk" shall mean milk which is modified in its composition so as to have a definite and stated percentage of one or more of its

constituents.

The term "condensed milk," "evaporated milk," and "concentrated milk," and each or either of them, shall mean the product resulting from the evaporation of a considerable portion of the water from the whole, fresh, clean, lacteal secretion obtained by the milking of one or more healthy cows, and not obtained within 10 days before nor within 5 days after parturition, and which contains, all tolerances being allowed for, not less than 255 per cent of total solids and not less than 7.8 per cent of milk fat.

The words "condensed milk" when used in this act, not in connection with "sweetened condensed milk" shall include condensed milk to which sucrose has

been added.

The term, "condensed skimmed milk," "evaporated skimmed milk," and "concentrated skimmed milk," and each or either of them shall mean the product resulting from the evaporation of a considerable portion of the water from skimmed milk, and which contains, all tolerances being allowed for, not less than 18 per cent of milk solids.

The terms "sweetened condensed milk," "sweetened evaporated milk," and "sweetened concentrated milk," and each or either of them, shall mean condensed milk conforming to the standards and definitions of this act, to which

sugar (sucrose) has been added.

The terms "sweetened condensed skimmed milk," "sweetened evaporated skimmed milk," and "sweetened concentrated skimmed milk," and each or either of them, shall mean the product resulting from the evaporation of a considerable portion of the water from skimmed milk, to which sugar (sucrose) has been added, and which contains, all tolerances being allowed for, not less than 28 per cent of mi.k solids.

The term "dried milk" shall mean the product resulting from the removal of water from milk, and which contains, all tolerances being allowed for, not

less than 26 per cent of milk fat and not more than 5 per cent of moisture.

The term "dried skimmed milk" shall mean the product resulting from the removal of water from skimmed milk and which contains, all tolerances being allowed for, not more than 5 per cent of moisture.

The term "malted milk" shall mean the product made by combining whole milk with the liquids separated from a mash of ground barley malt and wheat flour, with or without the addition of sodium chloride, sodium bicarbonate, or potassium bicarbonate, in such manner as to secure the full enzymic action of the malt extract, and by removing water, and which contains not less than 7½ per cent of butter fat and not more than 3½ per cent of moisture.

The term "buttermilk" shall mean that portion of the cream which remains after the separation and removal therefrom of the butter fat without the

addition of water.

The term "ice cream" shall mean the frozen product made from the combination of milk fets, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and which contains not less than 10 per cent of milk fats, and not less than 20 per cent of milk fats and milk solids, not fat, combined.

The term "fruit ice cream" shall mean the frozen product made from the combination of milk fats, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and to which has been added sound, clean, and mature fruits and which contains not less than 10 per cent of milk fat, and not less

than 20 per cent of milk fats and milk solids, not fat, combined.

The term "nut ice cream" shall mean the frozen product made from the combination of milk fats, milk solids, and sugar, with or without harmless coloring or flavoring matter, and with or without the addition of pure gelatine or vegetable gums, and to which hase been added sound, ciean, and nonrancid nuts, and which contains not iess than 10 per cent of milk fat and not less than 20 per cent of milk fat and milk solids, not fat, combined.

than 20 per cent of milk fat and milk solids, not fat, combined.

The term "ice milk" shall mean the frozen products made from the combination of pure, sweet milk and sugar, with or without harmless coloring or flavoring matter, and containing not less than 2.4 per cent of milk fat, and not more than six-tenths of 1 per cent of pure and harmless vegetable gum or

gelatine

The terms "milk fat" and "butter fat," and each or either of them, shall mean the fat of milk having a Reichert-Meissel number not less than 24, and

a specific gravity not less than 0.905 at a temperature of 40° C.

The term "cream" shall mean that portion of milk rich in butter fat which rises to the surface on standing, or is separated from it by centrifugal force, and which is fresh and clean and contains not less than 18 per cent of milk fat.

The term "butter" shall mean the clear, nonrancid product made by gathering in any manner the fat of fresh or ripened milk or cream into a mass containing not less than 80 per cent of milk fat, and which also contains a small portion of other milk constituents with or without harmless coloring matter.

The term "renovated butter" shall mean butter that has been reduced to a liquid state by melting and drawing off such liquid or butter oil, and has thereafter been churned or manipulated in connection with milk, cream, or

other product of milk.

The term "reworked butter" shall mean the product obtained by mixing, rechurning, or reworking butter manufactured on different dates or at different places: *Provided*, *hovever*, That the mixing of the clean, fresh trimmings or remants from one day's churning or cutting with butter from the churning of the same creamery on the day next following shall not make the product reworked butter within the meaning of this act.

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The term "milk products" shall mean and include each, every, and any article, substance, product, or compound manufactured, produced, or compounded from milk, whether such milk conform to the standard and definitions set forth

in this section or not.

The term "milk by-product" shall mean any and all products of milk derived or made therefrom after the removal of the milk fat or milk solids in the process of making butter or cheese, and shall include skimmed milk, buttermilk, whey, casein, and milk powder.

The term "cheese" shall mean the sound, solid, and ripened product made from milk or cream by coagulating the casein therein with rennet, lactic acid, or pepsin with or without the addition of ripening ferments and seasoning, and

with or without salt or harmless coloring matter.

The term "full cream cheese" or "full milk cheese," and each or either of them, shall mean cheese which contains in the water-free substance thereof not less than 50 per cent of milk fat.

The term "half skim cheese" shall mean cheese which contains in the waterfree substance thereof less than 50 per cent and not less than 25 per cent of milk fat.

The term "skim cheese" shall mean cheese which contains in the water-free

substance thereof less than 12 per cent of milk fat.

The term "quarter skim cheese" shall mean cheese which contains in the water-free substance thereof less than 25 per cent and not less than 12 per cent

The term "imitation cheese" shall mean any article, substance, or compound, other than that produced from pure milk or from the cream from pure milk, which shall be made in the semblance of cheese, and designed to be sold or used as a substitute for cheese made from pure milk or cream: Provided, however, That the use of salt, rennet, lactic acid, or pepsin, and harmless coloring matter for coloring the product of pure milk or cream shall not be construed to render such product an imitation: And provided further, That nothing in this section shall prevent the use of pure skimmed milk in the manufacture of cheese.

The term "whey" shall mean the product remaining after the removal of fat

and casein from milk in the process of cheese making.

The term "oleomargarine" shall mean all manufactured substances, extracts, mixtures, or compounds, including mixtures or compounds with butter, heretofore known as oleomargarine, oleo, oleomargarine oil, butterine, lardine, suine, and neutral, and shall include all lard and tallow extracts and all mixtures and compounds of tallow, beef, fat, suet, lard, lard oil, intestinal fat, and offal fat, made in imitation or semblance of butter, or calculated or intended to be sold as butter or for butter.

The term "substitute butter" shall mean and include all compounds of vegetable oils with milk fats or milk solids, and all compounds of milk fats or milk solids with butter, when such compound contains less than 80 per cent of milk

The term "person" shall import both the singular and plural as the case may demand, or as shall be applicable, and shall include individuals, copartnerships, corporations, and unincorporated societies and associations.

SEC. 6165. Insanitary dairy; what constitutes.—A dairy shall be deemed in-

sanitary in the following cases:

(a) If the drinking water provided for the cows therein be stagnant, polluted with manure, urine, drainage, or decaying vegetable or animal matter.

(b) If the yards or inclosures in which the cows are confined or kept be

filthy or insanitary.

(c) If any part of the yards or inclosures in which the cows are confined or kept, other than pastures, be made depositories of manure in heaps, or otherwise,

where it is allowed to ferment and decay.

(d) If a suitable milk house or milk room is not provided and maintained. properly screened to exclude flies and insects, for the purpose of cooling, mixing, bottling, canning, keeping, or separating the milk or cream. Such milk house or milk room shall not be located in, or be a part of, any barn or poultry house, and shall not be used for any other purpose whatsoever, and if contained in any building or structure in which any business, occupation or trade, other than handling, bottling, or processing milk is conducted or carried on, such milk room shall be separated from the portion or portions of such building or structure in which such business, trade, or occupation is conducted or carried on, by a tightly ceiled or plastered partition constructed in such manner as to meet with the approval of and comply with any regulations issued by the department of agriculture.

(e) If milk or cream shall be cooled, stored, mixed, bottled, canned, or kept in any room or place occupied by any person as a sleeping or living apartment, or occupied by horses, cows, hogs, or other animals, or by fowl of any kind.

(f) If any urinal, privy vault, open cesspool, pig pen, stagnant water, accumulation of manure, or other filth shall be permitted within 100 feet of such milk house or milk room, or within 50 feet of any cow stalls or stanchions, or other place where milking is done.

(g) If the walls or floor of such milk house or milk room shall become soiled

with manure, urine, dirt of [or] other filth.

(h) If an application of lime whitewash to the interior of any cattle stable, barn, or milking shed in which cows are kept or milked, or any milk house or milk room in which milk is cooled, stored, mixed, bottled, canned, or kept, shall not be made as often as once in one year.

[No paragraph (i).]

(j) If the pails, cans, or other containers of milk, or the strainers or coolers coming in contact with the milk are not thoroughly sterilized with boiling water or live steam each and every time the same are used.

(k) If the person or wearing apparel of the dairyman, or his employees, or other persons coming in contact with milk and its products, are allowed to become soiled, or are not washed from time to time with reasonable frequency.

(1) If the milking stools, milking machines, and equipment therein are not

kept clean.

(m) If there shall be permitted to exist any other cause or thing calculated or tending to render the milk or its products in such dairy unclean, impure, and unhealthy.

It shall be unlawful to sell milk or dairy products from a closed or insanitary

dairy.

SEC. 6174. That process of pasteurization as applied to milk, skimmed milk, cream, and milk products is here defined and declared to be a process for the elimination therefrom of organisms harmful to human beings. Such process as applied to milk shall consist of uniformly heating such milk to a temperature of not less than 1421/2° F. and of holding the same at such temperature for a period of not less than 30 minutes, and immediately thereafter of cooling such milk to a temperature of not above 50° F. in a separate tank or container other than that in which it is pasteurized. Such process as applied to skimmed milk, cream, or other milk product shall consist of uniformly heating such skimmed milk, cream, or milk product to a temperature of not less than 1421/2° F. and of holding the same at such temperature for a period of not less than 30 minutes, or of heating the same to a temperature of 176° F., without holding: Provided, however, That whenever milk or cream shall be subjected to such process before being used in the manufacture of butter or cheese, and when the process of ripening is to be commenced immediately, it shall not be necessary that such milk or cream be cooled to a lower temperature than is necessary for such ripening or starting: And provided further. That the heating of milk to above 110° F. shall be considered as intent to pasteurize and that thereafter the process of pasteurization as defined herein must be completed and such milk marked and sold as pasteurized milk.

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SEC. 6192. Every creamery, milk plant, shipping station, milk-condensing plant, ice-cream factory, or factory of milk products, or other person receiving or purchasing milk or cream in bulk and not bottled, and by weight or measure or upon the basis of the amount of milk fat contained therein, shall annually obtain a license therefor. Such license shall be issued by the department of agriculture upon being satisfied that the building, structure, place, or premises where such milk is to be received or purchased is maintained in a sanitary condition in accordance with the provisions of this act; and upon the payment to the department of a license fee of \$10 therefor. Such license shall be for the period of one year and shall expire on the 30th day of June subsequent to the date of its issue, and may be sooner revoked by the department of agriculture, upon reasonable notice to the licensee, if such licensee shall fail to comply with the provisions of this act and the rules and regulations issued and promulgated by the department of agriculture under the authority of this act: Provided, however, That the provisions of this section shall not apply to individuals purchasing milk or cream for consumption by themselves or their families, nor to the owners or keepers of hotels, restaurants, boarding houses and eating houses purchasing milk or cream to be served or con-

sumed therein, nor the bakeries and candy manufacturing plants.

Sec. 6193. No person, firm, or corporation shall convey, transport or carry any milk, skimmed milk, buttermilk, or cream in any wagon, automobile, cart, or other vehicle, for the purpose of selling or vending the same within the State or sell or vend any milk, skimmed milk, buttermilk, or cream from any such wagon, cart, automobile, or other vehicle, within the State, unless such person, firm, or corporation shall have first obtained a milk vendor's license therefor.

SEC. 6201. The duties of inspection imposed by this act on the department of agriculture, and all powers and authorities conferred upon said department in connection with any test, sample, weight, or grade, or inspection of any creamery, dairy, plant, factory, store, depot, booth, market, wagon, automobile,

cart, vehicle, or place, or of any milk or milk product or any substitute therefor, or imitation thereof may be exercised by any commissioner, assistant com-

missioner, or inspector thereof.

Sec. 6203. The department of agriculture shall provide blanks for reporting statistics of the production of milk and milk products. The department shall, when it deems necessary, but at least annually, on or before the 1st day of January of each year cause to be mailed to the owners or operators of all creameries, cheese factories, milk plants, milk condensing factories, factories of milk products, and to all milk vendors and milk dealers, one or more of such blanks. All such persons shall during the 30 days next following transmit to said department such blanks properly filled out and signed by such person and showing a full and accurate report of the amount of milk, cream, butter, cheese, ice cream, ice milk, buttermilk, skimmed milk, or other milk produce received, produced, manufactured or distributed during the required period as set forth by the department. The words "milk vendor" or "milk dealer" shall mean any person, firm, or corporation who sells, vends, furnishes, or delivers milk, skimmed milk, buttermilk, or cream from any wagon, automobile,

cart, or other vehicle.

SEC. 6226. Every person, firm, or corporation who shall manufacture any cheese shall at the place of manufacture, and before selling or removing such cheese therefrom, distinctly and durably brand such cheese on the bandage of every such cheese and on the box, package or container in which every such cheese shall be packed or contained, with the name and address of the manufacturer and with the words "Full cream cheese," "Half skim cheese," "Quarter skim cheese," or "Skim cheese," according to the percentage of milk fats and milk solids contained in any such cheese and the definitions and standards established by this act. Such name and address and such words shall be printed in letters of plain uncondensed gothic type and not less than one-half inch in height and in such a manner that such brand can not be readily obliterated or erased. Failure to brand any cheese and the selling of any such cheese not so branded, as provided in this section, shall constitute a violation of this act upon the part of the manufacturer and on the part of every person selling, furnishing, exchanging, or delivering the same: Provided, however, That the provisions of this section shall not be construed to apply to cheeses commonly known as "Edam," "Pineapple," "Brickstein," "Limburger," "Swiss," or to other handmade cheeses not made by ordinary cheddar process.

SEC. 6227. The vending, exposing, or offering for sale, or sale, furnishing, or exchange of any cheese not branded according to the provisions of section 6226 of this act shall constitute a violation of this act on the part of the person vending, exposing, selling, furnishing, exchanging, or offering such article or

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SEC. 6232. Any milk which shall not be free from foreign substances, coloring matter or preservatives, pus cells or blood cells, or which contains more than 100,000 bacteria or germs of all kinds to the cubic centimeter, or which has been infected by or exposed to any contagious or infectious disease, shall be deemed to be impure, unwholesome, and adulterated within the meaning of this act.

Any pasteurized milk shall be considered unlawful that contains in excess of

25,000 bacteria per cubic centimeter in the finished product.

SEC. 6235. Bottling regulations.—No person, firm, or corporation shall bottle any milk, skimmed milk, or cream, designed or intended for sale within the State, or transfer such milk, skimmed milk, or cream from any can, bottle, or container to any other can, bottle, or container, in any place, building, or structure not a milk room, milk plant, creamery, or other place used exclusively for bottling, handling, storing, or processing milk. Such milk room, milk plant, creamery, or other place shall be a room or place used exclusively for bottling. handling, storing, or processing milk, cream, or other milk products, and shall not be used for any other purpose whatsoever, and shall not be located in or be a part of any residence, dwelling house, barn, or poultry house, and if contained in any building or structure in which any trade, business, or occupation other than that of bottling, handling, storing, or processing milk is conducted or carried on, such milk room, milk plant, creamery, or other place shall be separated from the portion or portions of such building or structure in which such other trade, occupation, or business is carried on by a tightly sealed or plastered partition constructed in such a manner as to meet with the approval

of and comply with the regulations of the department of agriculture. Every such milk room, milk plant, creamery, or place shall be provided with suitable windows or other openings, permitting the entrance of light and air from outside such building or structure without passing through any other portion thereof, and such milk room or other place shall be otherwise constructed, kept, and maintained in a sanitary condition and manner within the intent and

meaning of section 6166.

SEC. 6272. In prosecutions under the provisions of sections 6270 and 6271 of this chapter, milk, normal and of standard quality, is defined as milk, pure, healthy, wholesome, and uninfected, free from any foreign substance whatsoever, including coloring matter or preservatives, free from all pus cells or blood cells, and which does not contain more than 100,000 bacteria or germs of all kinds to the cubic centimeter, and which has not been infected by or exposed to the infections of any contagious or infectious disease and which comes from cows healthy and free from all kinds of disease and kept in a healthy, sanitary condition and fed upon wholesome feed, and which contains not less than 11.75 per cent of milk solids and not less than 8.50 per cent of solids exclusive of fat, or not less than 3.25 per cent of fat. Any dealer therein who shall sell milk not normal and up to said standard shall be subject to prosecution and fine as provided in section 6271 of this act.

Sec. 6274. No sweet cream shall be sold, offiered for sale, exchanged, delivered, or shipped, transported, or carried for purposes of sale, exchange, or delivery that contains less than 18 per cent of butterfat, or which contains any pus cells, blood cells, or more than 100,000 bacteria or germs of all kinds to the cubic centimeter, and any person who shall adulterate cream or reduce or change it in any respect by the addition of water or any foreign substance with the intention of selling or offering the same for sale or exchange shall be punished by a fine of not less than \$50 nor more than \$100, or imprison-

ment for not less than 30 nor more than 60 days.

Milk and Cream—Repeal of Certain Laws Relating to the Sale of. (Ch. 45, Act February 1, 1927)

SECTION 1. That sections 260, 261, 262, and 263 of chapter 249 of the laws of 1909, pages 971-972, and chapter 20 of the laws of 1911, page 61, are hereby repealed.

Shellfish—Prevention of Pollution of Producing Areas—Taking, Relaying, Handling, Shucking, Packing, Shipment, and Sale—Health Examination of Employees Handling—Sanitary Requirements Governing Shucking and Packing Plants. (Reg. Bd. of H., August 29, 1927)

REGULATIONS GOVERNING SANITARY CONTROL OF SHELLFISH AREAS

Sec. 74. (a) Shellfish defined.—For the purpose of these regulations the term "shellfish" is hereby declared to mean and include oysters, all varieties of

clams, mussels, and scallops.

(b) Pollution prohibited.—No human excrement or matter containing excrement shall be placed on the surface of the ground, or buried where it is likely to gain access to any tidal waters over or adjacent to shellfish producing areas unless subjected to a method of disposal and treatment approved by the State department of health.

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(c) Methods of sewage disposal.—(1) Chemical toilets of sufficient capacity and of a type approved by the State department of health may be used in loca-

tions adjacent to shellfish producing areas.

(2) A septic tank may be approved for use in locations wherein a subsurface

absorption field can be successfully utilized.

(3) Sewerage systems discharging into tidal waters adjacent to shellfish producing areas must be provided with adequate means of treatment stisfactory

to the requirements of the State department of health.

(d) Growing areas.—No shellfish shall be taken from any waters of the State except from such growing areas as have been approved by the State department of health: Provided, That permission may be granted by the State director of health for the removal of shellfish from polluted waters and to market them after relaying in a large body of clean water, but only under the following conditions: (1) That such permission be granted only to individuals known to be entirely responsible and trustworthy.

(2) That the shellfish be relaid in a designated area of clean water for such

period as may be prescribed by the State department of health.

(3 That the relaying and subsequent removal from the clean area, for sale or shipment, shall be under the supervision of a representaive of the State department of health.

(e) Storage and cleansing.—Shellfish shall not be "floated," stored or cleansed in water the standard of purity of which is not at least as rigid as that pre-

scribed for growing areas.

(f) Boat sanitation.—All boats, scows, and floats used in the taking and handling of shellfish shall be kept in such a state of cleanliness and repair that shellfish handled or stored thereon shall not be subject to contamination. Decks, holds, or bins used for storage on boats shall not be washed with polluted water. Reasonable precaution shall be observed by fishermen while boats are in waters over shellfish grounds to prevent the pollution of such grounds through the

discharge of human wastes.

(g) Culling houses.—Float houses, commonly known as culling houses, shall be kept in a clean and sanitary condition, and when used as living quarters must be provided with chemical toilets of a type approved by the State department of health. The chemical toilet shall be equipped with a tank of sufficient capacity to provide for an accumulation of at least three months. Sufficient chemical must be added to tank contents to continuously disintegrate the excreta. Only toilet tissue shall be used. Tank contents must be withdrawn and deposited in a place designated by a representative of the State department of health.

Bath and laundry waste water before being discharged into tidal waters must be treated for a period of five minutes with an effective sterilizing agent equivalent to three parts per million available chlorine (sodium hypochlorite solution 4.5 per cent available chorline, I teaspoonful to each 10 gallons of waste

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(h) Examination of employees.—Every applicant for employment shall be inspected for evidence of active infection and questioned as to whether the applicant has previously suffered an attack of typhoid (or paratyphoid), fever, or has recently been in intimate contact with any such case. This inspection shall be made by a competent person under instructions from the State or local health department, and all suspicious cases shall be referred to a physician.

No person who has a communicable disease shall be employed or retained in

any capacity within the shellfish-producing areas.

(i) Examination for carriers.—In the case of any individual giving a history of a previous attack of typhoid fever or suspected of being a carrier of typhoid (or paratyphoid) bacilli, examination of blood, stools, and urine in the laboratory of the State department of health or in such other laboratory as that department may designate and approve shall be required. Carriers of typhoid. (or paratyphoid) bacilli thus detected shall be excluded from employment.

REGULATIONS GOVERNING SHUCKING AND PACKING PLANTS

SEC. 75. (a) Shucking and packing house construction.—(1) Lighting and

ventilation shall be adequate in all parts of the building used.

(2) Washing and packing rooms shall be separate from shucking rooms. They shall also be so constructed throughout as to permit easy and thorough cleaning. During fly season all windows and doors of shucking and packing rooms shall be screened.

(3) Floors shall be so constructed that they may be easily and thoroughly cleaned and that drainage of all water therefrom shall be complete and rapid.

(4) Storage bins or storage rooms for shell stock shall be so constructed as

to permit easy and thorough cleaning and drainage.

(5) Shucking benches shall be of an approved sanitary type. Such benches and walls immediately adjacent thereto to a height of 2 feet above the benches shall be of smooth material and so constructed as to be easily and thoroughly cleaned.

(6) Refrigeration rooms or ice boxes for the retention of shellfish must be

so constructed as to permit easy and thorough cleaning.

(7) Sanitary toilets, which shall be separate from shucking and packing rooms, must be provided for employees. In locations where a sewer is not accessible, chemical toilets of a type approved by the State department of health must be installed.

(b) Equipment.—(1) Water: The plant shall be provided with an abundant supply of water, preferably under pressure, from a source approved by the State department of health.

(2) Hot water in sufficient amount for all purposes shall be available when

the plant is in operation.

(3) Lavatories, with running water where possible, shall be provided, together

with soap and individual towels.

(4) Utensils: Shucking pails, pans, measures, skimmers, and colanders shall be made of a noncorrosive, nonrusting, smooth, impervious material, and constructed in such manner as to eliminate grooves, seams, and cracks where food particles and slime will collect. The handles of opening knives should be so constructed as not to contain cracks and crevices which would retain food par-

ticles and slime.

(c) Operation.—(1) General cleanliness: During the operating season the plant shall be used for no purpose other than the handling of shellfish. Material foreign to this particular business shall not be stored within the operating part of the plant. All abandoned equipment shall be removed from the plant, and the floors in every way kept clear for thorough cleansing. The unoccupied portion of storage bins, the shucking benches, and all floors shall be swept and flushed with water of an approved quality at least once every day, at the completion of the day's run, until they are thoroughly clean. The use of polluted water for flushing or cleansing purposes shall not be permitted. A safeguard recommended is that of following the cleansing with a thorough flushing with scalding water or a solution of calcium of sodium hypochlorite of approved strength. This treatment is particularly advisable in the case of shucking benches. Refrigeration rooms or ice boxes must be kept clean at all times.

(2) Personal cleanliness: All employees shall wash their hands thoroughly with running water and soap on beginning work and after each visit to the toilet. Signs to this effect shall be posted in conspicuous places in the plant. Gloves or other protection for the hands shall be of such material as can be

easily and thoroughly cleaned.

(3) Sterilization: An adequate supply of boiling water shall be available for the sterilization of utensils. All utensils and tools, such as opening knives, shucking pails, pans, measures, skimmers, and colanders, which come in contact with the shellfish, shall be thoroughly scoured until clean, and then sterilized by steam in a steam chamber or box, or by boiling water. Such sterilization may be carried out before beginning work, or at the close of the day if the articles are stored over night so as not to become contaminated. Returnable shipping cans must be cleaned and sterilized by steam prior to refilling, and nonreturnable cans shall be rinsed with hot water before filling.

(4) Refrigeration: The cooling of shucked shellfish shall be effected as quickly as possible after the shellfish are shucked. For the refrigeration of shucked stock, outside containers shall be provided for ice, and no ice or other foreign substances shall be allowed in contact with the shellfish. A temperature of 50° F. or below, but above freezing, shall be maintained in refrigerators

where shucked shellfish are stored.

(5) Washing shucked stock: Shucked shellfish shall be thoroughly washed

with cold water of an assured purity.

(6) Waste disposal: Shells, washings, and other wastes shall be disposed of

in such manner as not to cause a nuisance.

(d) Communicable diseases.—(1) Examination of employees: All applicants for employment shall be inspected for evidence of active infection and questioned as to whether the applicant has previously suffered an attack of typhoid (or paratyphoid) fever, or has recently been in intimate contact with any such case. This inspection shall be made by a competent person under instructions from the State or local health department, and all suspicious cases shall be referred to a physician. No person who has a communicable disease, or any infected wounds on the hands or arms, shall be employed or retained, in any capacity, in any shucking or packing plant.

(2) Examination for carriers: In the case of any individual giving a history of a previous attack of typhoid fever or suspected of being a carrier of typhoid (or paratyphoid) bacilli, examination of blood, stools, and urine, in the laboratory of the State department of health or in such other laboratory as that department may designate and approve, shall be required. Any carriers of typhoid (or paratyphoid) bacilli shall be excluded from employ-

ment.

REGULATIONS GOVERNING THE HANDLING AND SALE OF SHELLFISH SUBSEQUENT TO PRODUCTION AND SHIPMENT

Sec. 76. (a) Certification required.—No oysters, clams, scallops, or other shellfish shall be sold or offered for sale in the State of Washington, unless such shellfish shall have been produced and shipped in conformity with the regulations of the State in which they were grown or packed, and unless the shipment shall have been accompanied by tag, label, or other mark showing that the shipper has been duly certified by the State in which the plant is operated, such certification having been approved by the United States Public Health Service for shipments in interstate commerce.

(b) Records.—All shippers, reshippers, packers, and wholesalers shall keep an accurate record of all lots received, shipped, and sold, and retailers shall keep a record of all lots received. Such record shall be subject to inspection by

health authorities.

(c) Shell stock.—(1) Shell oysters and clams shall be handled and shipped under such temperature conditions as will keep them alive, and be so kept at all times that they will not become contaminated.

(2) Shell oysters and clams shall be packed in clean sacks, barrels, or boxes plainly marked with the name, address, and certificate number of the shipper.

(d) Shucked stock.—(1) Shucked oysters and clams shall be stored and shipped under such temperature conditions as will prevent spoilage. Outside containers shall be provided for ice, and no ice or other foreign substance shall be allowed to come in contact with the shellfish. Shucked stock should be kept at a temperature of 50° F. or below from the time it leaves the shipper until it reaches the consumer, but should not be allowed to freeze.

(2) Shucked oysters and clams shall be packed and shipped in containers sealed in such manner that tampering is easily discernible, and marked with the identification mark of the shipper or packer. Shipments shall be so tagged or labeled as to show the name, address, and the certificate number of the shipper.

(e) Shucked stock in bulk.—Shucked stock in bulk shall be sold only under the following conditions: (1) Containers from which they are dispensed shall be marked with the name and address or identification mark of the shipper.

(2) When the container is opened, it shall be done under proper sanitary precautions. All utensils and containers coming in contact with the raw food shall be sterilized before use, in accordance with approved methods. The manual handling of shucked oysters is prohibited.

(3) Persons handling shucked stock in retail dispensing shall be subject to the same regulations and supervision that apply to other food handlers.

(4) Any adulteration or the addition of any water or ice is prohibited.

(5) Proper refrigeration shall be provided in all places, including retail stores, where shucked stock is kept.

Water Supplies—Purification—Cross Connections—Methods of Making Public Water Supplies Available for Fire Protection. (Reg. Bd. of H., August 29, 1927)

[Sec. 70.] (j) Unless the source of water supply is adequately protected against danger of pollution the water must be continuously and effectively subjected to a method of purification approved by the State board of health. When the degree of pollution is low and the physical characteristics of the water permit, chlorination or some equally effective method is sufficient: Provided. That an adequate residual is constantly maintained for a period of 10 minutes after contact with the sterilizing agent. Waters requiring preliminary treatment prior to sterilization must be adequately coagulated, settled, filtered, and sterilized. Filters of the rapid sand type must be of sufficient area to prevent the rate of filtration from exceeding 125,000,000 gallons per acre per day. Rapid sand filtration plants must be provided with more than one fully equipped filter unit in order that one unit may be cut out of service for overhauling without interrupting the operation of the plant. Adequate wash water facilities must be provided. A sand bed in each filter unit not less than 30 inches in depth, of siliceous material having an effective size of 0.30 to 0.35 millimeter and a uniformity coefficient of 1.60 to 1.65 is required.

(a) Failure on the part of persons, firms, or corporations to discontinue the use of any and all cross connections and to physically separate such cross connections before the 15th day of April, 1924, will be sufficient cause for the

discontinuance of the public water service to the premises on which the cross connections exist, unless the quality of the water from the two supplies used has been approved by the State department of health: Provided, That in the case of persons, firms, or corporations having installed before April 15, 1924, cross connections consisting of two gate valves with indicator posts, two check valves of the Factory Mutual type with drip cocks and gauges for testing, all to be placed in a vault of water-tight construction accessible to ready inspection, the date of discontinuance of the same shall be extended until July 1, 1927: Provided further, That such cross connections are subjected to such inspections as the State department of health deems proper, the expense of such inspections to be borne by the person, firm, or corporation using such a cross connection.

(p) After July 1, 1927, public water supplies shall be made available for fire protection by the following methods only: (1) Construction of a pump well or reservoir to which the city mains are connected, pumps taking suction from well or reservoir and pumping to an elevated tank for storage and pressure; or

(2) An elevated tank or standpipe supplied at the top and above the overflow by a connection from the city main. Such tank or standpipe may then be connected to the fire protection, system; expenses.

connected to the fire-protection system; or

(3) Two independent systems or piping without any connection whatsoever, one being supplied from the city mains and the other from the independent water supply.

Waters-Prevention of Pollution-Regulation of Discharge of Refuse, etc., into. (Ch. 299, Act March 19, 1927)

Section 1. That section 5734 of Remington's Compiled Statutes [1922], as amended by section 7, chapter 90, laws of 1923, be amended to read as follows:

Sec. 5734. It shall be unlawful to cast or pass, to suffer or permit to be cast or passed into any waters of this State, either fresh or salt, any sawdust, planer shavings, wood pulp or other waste, lime, gas, oil, oil products, grease, coculus indicus, or any chemical substance, except coal mine waste or drainage, in quantities sufficient in the judgment of the State fisheries board and the State board of health to injuriously affect, destroy or diminish the growth of the plankton, benthos or algae or the fish and shellfish inhabiting such waters or impair the supply thereof. It shall also be unlawful to cast or pass, to suffer or permit to be cast or passed into any waters of this State, either fresh or salt, any refuse or waste material, substance or matter at any time whatsoever which may be determined by the State board of fisheries to be deleterious to fish or shellfish.

The State board of health shall cooperate with the State fisheries board in the making of its said determination. The State fisheries board shall have the right to call upon the department of health for such investigation and report as may be necessary from time to time concerning the effect upon acquatic [sic] life of various kinds of refuse and waste materials, substances or matters to the end that it may from time to time, as warranted by conditions, promulgate rules and regulations prohibiting the deposit in the waters of the State, either fresh or salt, of such refuse or waste materials, substances or matters as may be deleterious in their effect upon fish and shellfish. The rules and regulations shall be promulgated and published in the manner now or hereafter prescribed for the promulgation and publication of its rules and regulations relating to the taking of food fish and they shall constitute prima facie evidence that the refuse or waste materials, substances, or materials therein declared to be deleterious are in fact deleterious to fish and shellfish inhabiting the waters. In any action or proceeding involving the validity or construction of any such rule or regulation it shall be competent to plead the same by title and number and to prove the same by the introduction of a true and correct copy thereof, duly certified by the secretary of the State fisheries board. The director of fisheries and game, through the supervision of fisheries, with the approval of the State fisheries board shall have the power to grant permits for the sawing of logs in such waters as in his judgment can be used for that purpose without injury to fish and shellfish. Before any industrial or manufacturing concern the construction and operation of whose plant will necessitate the dumping of refuse or waste materials, substances or matters into any waters of this State, either fresh or salt, shall proceed with construction and operation, it shall submit for the approval of the director of fisheries and game, through the supervisor of

fisheries and the director of health, detailed plans for the disposal of its refuse or waste materials, substances or matters, and if such plans do not in the judgment of the supervisor of fisheries and director of health make adequate and effective provision for safeguarding fish and shellfish in such waters, the said supervisor of fisheries and director of health shall disapprove the same and it shall be unlawful for the person, firm, or corporation to proceed with the operation of its said plant until the plans are revised in such manner as to meet

the objections of the supervisor , fisheries and director of health.

Any person, firm, or corporation feeling himself or itself aggrieved by any order or ruling of the supervisor of fisheries and the director of health disapproving the detailed plans for disposal of refuse or waste materials, substances or matters submitted by an industrial or manufacturing concern as above provided shall have the right of appeal from such order or ruling to the superior court of the county in which the plant of such industrial or manufacturing concern is situated, in the manner provided by law for taking appeals from justices['] courts, and upon such appeal being taken and perfected, the same shall be set for hearing and heard by the judge of said court de novo without a jury, and at the conclusion of the hearing the judge shall enter an order approving the plans submitted, or modifying and approving such plans, or disapproving the same, as may to the judge seem necessary for the protection of the public health and the fish and shellfish inhabiting the waters of this State.

Water Districts—Formation—Validation of Certain Proceedings, Bonds, and Warrants. (Ch. 230, Act March 19, 1927)

Section 1. That section 11581 of Remington's Compiled Statutes [1922] be

amended to read as follows:

Sec. 11581. The petition presented to the board of county commissioners shall set forth the territorial extent of the proposed water district, particularly describing the same, and shall be filed with the county auditor who shall within 60 days examine the signatures thereto and certify to the sufficiency or insufficiency thereof, and for such purpose the county auditor shall have access to all registration books in possession of the officers of any incorporated city or town in such proposed district. If any protest signed by 25 per cent of the qualified electors of any city or town shall be filed with the county auditor within 30 days after the filing of the petition for the formation of the district, the auditor shall likewise examine the signatures thereof and certify the sufficiency or insufficiency thereof to the board of county commissioners with the petition. No person having signed such petition or such protest shall be allowed to withdraw his name therefrom after the filing of the same with the county auditor. If such petition shall be found to contain a sufficient number of signatures, the county auditor shall transmit the same, together with his certificate of sufficiency attached thereto, to the board of county commissioners, and likewise if said protest shall be found to contain a sufficient number of signatures shall transmit the same, together with his certificate of sufficiency, to said board, and the board of county commissioners shall at their first meeting thereafter if such petition so requires by resolution call a special election to be held not less than 60 days from the date of such certificate and shall cause to be published a notice of such election at least once a week for four consecutive weeks in a newspaper of general circulation in the county in which said proposed water district is located, which notice shall state the hours during which such polls will be open, the boundaries of the proposed water districts, exclusive of the territory excluded by reason of such protest or protests, if any, and the object of such election and said notice shall also be posted for 10 days in 10 public places in such proposed water district. The same notice shall be given if such proposition be submitted at a general election: Provided, In submitting said proposition to the voters for their approval or rejection, said proposition shall be expressed on the ballots in the following terms: "Water district. Yes." "Water district. No," giving in each instance the name to such district as may be decided on by the board of county commissioners.

There shall be not less than one polling place in each ward in each incorporated city or town, and one polling place in each precinct outside such

cities or towns.

In case there is no incorporated city or town within the boundaries of a proposed water district the county commissioners may call such election to

be held at any time after 30 days from the date of such certificate by the

county auditor as to the sufficiency of the petition.

In case any petition shall have been filed with the county auditor of any county prior to the taking effect of this act and no election shall have been called thereon, no election shall be called until the expiration of 60 days from the time of taking effect of this act, and in case within 30 days from the taking effect of this act a protest signed by the requisite number of qualified electors of any city or town shall be filed with the county auditor, the same shall be examined, and if found sufficient shall be certified to the board of county commissioners, and such cities or towns shall be excluded from the proposed district.

SEC. 2. That in case an attempt has been made to organize a water district not containing within its boundaries any incorporated city or town, and either through inadvertence or mistake the election for the organization of the district was held more than 30 days from the date of such certificate of the county auditor but less than 60 days from such date, such proceedings shall not be deemed invalid by reason thereof, and in case all other proceedings in connection with the organization of any such water district were regular, such proceedings are hereby validated and all bonds and warrants issued or to be issued by any such water district are hereby declared to be valid.

Habit-Forming Drugs—Repeal of Certain Laws Relating to the Sale and Dispensing of. (Ch. 60, Act February 3, 1927)

Section 1. That sections 257, 258, and 259 of chapter 249 of the laws of 1909, pages 969-970, are hereby repealed.

Animals—Prevention and Eradication of Communicable Diseases of—Quarantine—Regulations Authorized—Importation—Reports of Communicable Diseases Among—Destruction. Bovine Animals—Examination and Testing for Tuberculosis—Quarantine or Appraisal and Destruction When Tuberculous—Indemnity for Animals Destroyed Because Tuberculous—Importation—Exhibition. (Ch. 165, Act February 21, 1927)

Section 1. The director of agriculture shall have general supervision of the prevention of the spread and the suppression of infectious, contagious, communicable, and dangerous diseases affecting the domestic animals within, in transit through, or about to be imported into this State, and, through and by means of the division of dairy and livestock shall have the power to establish and enforce quarantine of and against any and all such animals affected with any such disease or diseases or that may have been exposed to others thus affected, whether within or without the State, for such length of time as he may deem necessary to determine whether any such animal is infected with any such disease: Provided, That no bovine animal that has been in this State more than six months shall be quarantined for tuberculosis without having been first subjected to the tuberculin test as in this act provided.

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SEC. 2. The word "quarantine" as used in this act shall mean the placing and restraining of any animal or animals by the owner or agents in charge thereof, either within a certain described and designated inclosure or area within this State, or the restraining of any such animal or animals from entering this State, as may be directed in writing by the director of agriculture or his duly authorized representative. Any animal or animals so quarantined within the State shall at all times be kept separate and apart from other domestic animals and not allowed to have anything in common therewith.

SEC. 3. It shall be unlawful for the owner or owners of any domestic animal quarantined, or their agents or employees, to break such quarantine or to move, or to allow to be moved, any such animal from within the quarantined area, or across the quarantine line, as established, or to sell, exchange or in any other way part with the products of such animals, without first obtaining a permit in writing from the director of agriculture, or his duly authorized representative. Any owner or owners of any quarantined animal or any agent of such owner or owners, who fails to comply with or violates any such quarantine or who negligently allows any such quarantined animal to escape from quarantine, and any other person who removes any quarantined animal from such quarantine shall be guilty of a misdemeanor.

SEC. 4. The director of agriculture shall have power to promulgate and enforce such reasonable rules, regulations and orders as he may deem necessary or proper to prevent the introduction or spreading of infectious, contagious, communicable or dangerous diseases affecting domestic animals in this State, and to promulgate and enforce such reasonable rules, regulations, and orders as he may deem necessary or proper governing the inspection and test of all domestic animals within or about to be imported into this State, and to promulgate and enforce such reasonable rules, regulations and orders as he may deem necessary or proper for the inspection, testing, and quarantine of all domestic animals within or about to be imported into this State, and to promulgate and enforce intercounty embargoes and quarantine to prevent the shipment, trailing, transporting or movement of bovine animals from any country that has not had a county-wide test of bovine animals for tuberculosis, into a county which has had such county-wide test, unless such animals are accompanied by a negative certificate of tuberculin test made within 60 days last prior to the movement of such animal into such county, issued by a duly authorized veterinary inspector of the State department of agriculture, or the United States Bureau of Animal Industry, or an accredited veterinarian.

Sec. 5. It shall be unlawful for any person, or any railroad or transportation company, or other common carrier, to bring into this State any horses, cattle, or swine, for work, feeding, breeding, or dairy purposes, without first having such animals examined and found free from glanders, farcy, tuberculosis, actinomycosis, rinder pest, foot and mouth diseases, contagious abortion, contagious keratitis, scabies, maladie du coit, swine plague and hog cholera and without having obtained a permit so to do from the director of agriculture or his duly authorized representative: Provided, That this section shall not apply to domestic animals imported into this State for immediate slaughter, or to range stock cattle imported into this State for range pasturage, or beef cattle imported for the purpose of feeding in transit, but it shall be unlawful to sell such cattle for dairy purposes, and it shall be unlawful for any person to sell for dairy or breeding purposes any animal imported into this State for imme-

diate slaughter.

SEC. 6. It shall be unlawful for any person to willfully hinder or obstruct or resist the director of agriculture or any duly authorized representative, or any peace officer acting under him or them, when engaged in the performance of the duties or the exercise of the powers conferred by this act, and it shall be unlawful for any person to willfully fail to comply with or violate any rule, regulation or order promulgated by the director of agriculture or his duly

authorized representatives under the provisions of this act.

SEC. 7. Whenever a majority of any board of health, board of county commissioners, city council or other governing body of any incorporated city or town, or trustees of any township, whether in session or not, shall, in writing or by telegraph, notify the director of agriculture of the prevalence of or probable danger of infection from any of the diseases of domestic animals mentioned in section 5 of this act, the director of agriculture personally, or by the supervisor of dairy and livestock, or by a duly appointed and deputized veterinarian of the division of dairy and livestock, shall at once go to the place designated in said notice and take such action as the exigencies may in his judgment demand, and may in case of an emergency appoint deputies or assistants, with equal power, whose compensation shall be \$5 per day and actual traveling expenses.

Sec. 8. It shall be the duty of every person registered to practice veterinary medicine, surgery, and dentistry in this State to immediately report to the director of agriculture in writing the discovery of the existence or suspected existence among domestic animals within the State of any of the diseases men-

tioned in section 5 of this act.

SEC. 9. Whenever in the opinion of the director of agriculture, upon the report of the supervisor or a duly appointed and qualified veterinarian of the division of dairy and livestock, the public welfare demands the destruction of any animal found to be affected with any of the diseases mentioned in section 5 of this act, he shall be authorized to by written order direct such animal to be destroyed by or under the direction of the supervisor or a duly appointed and qualified veterinarian of the division of dairy and livestock: *Provided*, That this section shall not apply to bovine animals found affected with tuberculosis.

SEC. 10. The governor and the director of agriculture shall have the power to cooperate with the Government of the United States in the prevention and

eradication of diseases of domestic animals and the governor shall have the power to receive and receipt for any money's receivable by this State under the provisions of any act of Congress and pay the same into the hands of the State treasurer as custodian for the State to be used and expended in carrying out the provisions of this act and the act or acts of Congress under which said

moneys are paid over to the State.

SEC. 11. On the written application of the owners of the majority of bovine animals, as shown by the last assessment roll, in any county, to the director of agriculture for the examination and testing of bovine animals in such county to ascertain whether the same are infected with tuberculosis, it shall be the duty of the director of agriculture to cause such examination and test of all the boyine animals within such county to be made as soon thereafter as consistent with the departmental policies of tuberculous eradication.

The director of agriculture, or any duly authorized veterinary inspector of the department of agriculture, may cause an examination and test to be made

of any bovine animal exposed to or suspected of having tuberculosis.

All such examinations and tests shall be made subject to the rules and regu-

lations of the department of agriculture.

Every inspector and veterinarian of the department of agriculture making examinations and tests, as provided in this section, shall be a veterinarian duly licensed to practice veterinary medicine, surgery, and dentistry in this State and shall, before making any examination and test, furnish and file with the department of agriculture a good and sufficient bond in the penal sum of \$2,000, payable to the State of Washington, conditioned that he will faithfully and honestly perform and discharge any work which he is authorized to undertake under this act: Provided, That the veterinary inspectors of the United States Bureau of Animal Industry may be appointed by the director of agriculture to make such examinations and tuberculin tests as herein provided, and when so employed they shall act without bond or compensation and shall possess the same power and authority in this State as a veterinary inspector of the department of agriculture.

Should the owner or owners of any bovine animals desire to select a duly licensed and accredited veterinarian, approved by the director of agriculture, for making such examination and tests in accordance with the provisions of this act, the owner or owners shall pay all expenses in connection with such

examination and tests.

SEC. 12. If on the completion of any examination and test as provided in the preceding section the inspector or veterinarian making the examination and test shall believe that the animal is infected with tuberculosis, the owner of the animal shall have the option of indemnity or quarantine; if he selects indemnity, the owner and inspector shall appraise the suspected animal and in the appraisal of such animal due consideration shall be given to its breeding, dairy, or meat value. In the event of their failing to agree upon the value, the inspector shall apply to the judge of the superior court of the county where the animal is located to appoint a third appraiser, and the decision of the majority of the appraisers shall be final.

The owner, or his agent, of any bovine animal thus appraised shall market the animal within 30 days from date of appraisal and shall obtain from the purchaser a report in quadruplicate, upon blank forms to be furnished by the inspector, certifying to the amount of money actually paid for the animal or The animal or animals shall be slaughtered under the supervision of a veterinary inspector of the department of agriculture, or the United States Bureau of Animal Industry, or a veterinarian duly licensed to practice veterinary medicine, surgery, and dentistry in this State. The veterinary inspector or veterinarian shall hold a post-mortem examination and determine whether or not the animal shall be passed to be used for food. The post-mortem examination must conform with the meat inspection regulations of the United States Bureau of Animal Industry. Upon the receipt of said report, in quadruplicate, certifying to the amount of money actually paid for the animal or animals, and if the owner has complied with all lawful quarantine laws and regulations, the department of agriculture shall cause to be paid to the owner or owners of the animals one-third of the difference between the appraised value of each animal so slaughtered and the value of the salvage thereof: Provided, That in no case shall any payment by the department of agriculture be more than \$25 for any grade female or more than \$50 for any purebred registered bull or female, and in no case shall any indemnity be paid for grade

bulls or for steers, and that no indemnity shall be paid for animals slaughtered on account of tuberculosis to any person who has not owned such animal for six months prior to the date such examination or test is made, and the State shall not be required to pay the owner of any animal imported into this State within six months prior to the inspection and test the sums hereinabove provided for, but the owner of such animal shall receive the proceeds of the sale of such slaughtered animal: And provided further, That the right to indemnity shall not exist nor shall payment be made for any animal owned by the United States, this State, or any county, city, town, or township in this State. Every appraiser appointed by the judge of the superior court as hereinabove provided shall receive his actual and necessary traveling expenses and a per diem of \$3 for the time actually spent, to be paid by the State. The expenses of herding, caring for, feeding, transporting, and slaughtering animals under the provisions of this section shall be paid by the owner thereof.

Sec. 13. Whenever any appropriation made by the legislature for the purpose of carrying out the provisions of sections 11 and 12 of this act during any biennium shall be exhausted no further animals shall be slaughtered under the

provisions of said sections.

SEC. 14. Whenever the commissioner of agriculture shall have reason to believe that any bovine animal about to be imported into this State is infected with tuberculosis he shall have the power and authority to quarantine such animal at the State line, and make an examination and test thereof as in this act provided, and if any such animal shall be found to be infected with tuber-

culosis it shall not be permitted to enter this State.

SEC. 15. It shall be unlawful for any person to exhibit at any State, county, district, or other fair, or livestock exhibition within this State any bovine animal over one year old, unless within six months prior to such exhibition it has been subjected to a tuberculin test and received a certificate of health from a qualified veterinarian, and it shall be unlawful for the officers or any person in charge of any such fair or exhibition to accept any such animal for exhibition until such certificate of health has been filed with the proper officer of the fair or exhibition.

Sec. 33. Every person who shall violate or fail to comply with any of the provisions of this act for which violation or failure to comply no specific penalty is provided in this act shall be deemed guilty of a misdemeanor.

SEC. 34. That an act entitled "An act to prevent the introduction of Texas cattle, or cattle infected with Texas fever into the Territory of Washington" passed over the governor's veto December 1, 1869, laws of 1869, page 404; chapter CLXVII (167) of the laws of 1895, pages 456-458; chapter CXII (112) of the laws of 1901, pages 228-229; chapter 26 of the laws of 1903, pages 28-29; chapter 125 of the laws of 1903, pages 234-235; chapter 169 of the laws of 1905, pages 338-339; chapter 189 of the laws of 1909, pages 656-667; chapter 100° of the laws of 1915, pages 292-296; chapter 13° of the laws of 1917, pages 40-41; sections 89 and 90 of chapter 1924 of the laws of 1919, pages 650-653; chapter 77° of the laws of 1921, page 218; chapter 73° of the laws of 1923, pages 223-227; chapter 198 of the laws of the extraordinary session of 1925, pages 597-601; sections 3110 to 3153, both inclusive, of Remington's Compiled Statutes; sections 2024 to 2041, both inclusive, and 2051 to 2071, both inclusive, of Pierce's 1919 Code, are hereby repealed: Provided, That the repeal of said acts shall not be construed as reviving any acts or parts of acts amended or repealed by any thereof: And provided further, That the repeal of said acts shall not operate to prevent the prosecution for the violation of any of the provisions thereof committed prior to the taking effect of this act, or to affect any proceding pending for violations thereof at the time of the taking effect of this act, or to prevent the recovery of expenses and charges for the enforcement of any of said acts or any proceeding therefor pending at the time of the taking effect of this act, but such violations may be prosecuted and such procedings continued and penalties imposed and recoveries had in the same manner as though this act had not taken effect.

Reprint 338 from Public Health Reports, p. 549.

Supplement 37 to Public Health Reports, p. 517.

Supplement 42 to Public Health Reports, p. 860.

Supplement 45 to Public Health Reports, p. 616.

Supplement 49 to Public Health Reports, p. 390.

Certain Convict-Made Goods, Wares, and Merchandise-Disinfection and Labeling Before Sale or Exposure for Sale. (Ch. 294, Act March 19,

SECTION 1. No person, firm, or corporation shall within this State sell or offer. keep, expose, or display for sale any goods, wares, or merchandise, made wholly or in part by convict labor in any penitentiary, prison, reformatory, or other establishment outside the State of Washington in which convict labor is employed, unless such commodity has first in accordance with the rules and regulations of the State department of health been properly disinfected and unless such convict-made goods, wares, or merchandise offered, kept, exposed, or displayed for sale are permanently, plainly, and legibly labeled with the words, "These goods are convict made," in plain, bold letters, followed by the name of the penitentiary, prison, reformatory, or other establishment in which the goods, wares, or merchandise were made: Provided, That when advertised in any periodical or publication the wording herein required shall appear in type and/or letters conforming in size and shape to those used in the general text of said periodical or publication.

SEC. 2. Any person, firm, or corporation who shall sell or keep, offer, expose, or display for sale any convict-made goods, wares, or merchandise which shall not have been first disinfected as in this act required, or without exhibiting the label in this act required in the manner provided herein, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500 or by imprisonment in the county jail for not less than 30 days nor more than 6 months, or by both such fine and imprisonment.

SEC. 3. Adjudication of invalidity of any of the sections of this act or any part of any section thereof shall not affect or impair the validity of any other of said sections or remaining part of any of said sections.

Camp or Picnic Grounds-Water Supply-Sanitary Disposal of Excreta. (Reg. Bd. of H., August 29, 1927)

[Sec. 73.] (b) Water supply.—A water supply of sanitary quality shall be provided in ample quantity to meet all requirements of the maximum number of persons using such a tract at any time. Said water supply shall be easily obtainable from its source or from faucets on a pipe distributing system within a distance of not more than 300 feet of any camp or picnic spot within such

(c) Disposal of excreta.—Fly-tight privies or water-flushed toilets shall be provided and shall be maintained in a clean and sanitary condition. If septic tanks are used they must be provided with subsurface absorption fields. privies and subsurface absorption fields can not be utilized in locations near wells, stream banks, lake margins, bathing beaches, and shellfish areas without danger of polluting the waters of the State, chemical toilets of sufficient capacity and of a type approved by the State board of health will be required. Separate toilets for men and women shall be provided, one for each 50 men and one for each 50 women, or fraction thereof, of the maximum number of persons occupying such tract at any time. No camp or picnic spot within such tract shall be at a greater distance than 400 feet from both a men's and women's toilet. The location of all toilets shall be plainly indicated by signs.

Barbers-Health Certificate Required of Apprentices and Students-Serving of Persons Infected with Communicable Diseases and Violation of Sanitary Rules Unlawful. (Ch. 211, Act March 9, 1927)

[Sections 8 and 12 of this act amend, respectively, sections 11 and 17 of

chapter 75, laws of 1923, to read as follows:]

Sec. 11. * * * Provided further, That such licensed barber or barberschool proprietor shall report the names of all apprentices or students working under his direction or training to the State treasurer, together with the certificate of a licensed physician and surgeon that the said apprentice or student is not afflicted with any contagious or infectious disease.

* * who shall accept students for training as SEC. 17. Any person * barbers or employ apprentices without making report of such facts to the State treasurer as provided by this act, * * or who shall knowingly

Supplement 49 to Public Health Reports, p. 392.

serve any person afflicted with a contagious or infectious disease, or violate any of the sanitary rules adopted by the director of licenses, or who shall violate any of the provisions of this act, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment in the county jail not less than 10 days nor more than 90 days, or by both such fine and imprisonment.

It shall be the duty of the prosecuting attorney of the county in which any violation of this act shall occur to prosecute any case to final judgment when-

ever his attention shall be directed to any violation of this act.

Barbering—Repeal of Certain Laws Relating to the Practice of. (Ch. 12, Act January 26, 1927)

Section 1. That chapter 172 of the laws of 1901, pages 349-352, and chapter 84 of the laws of 1913, pages 258-259 (secs. 413-427, Pierce's 1919 Code), are hereby repealed.

Hairdressing and Beauty Culture—Health Certificate Required of Applicant for Operator's License—Revocation of Certificate of Registration or License. (Ch. 281, Act March 19, 1927)

Sec. 6. * * * In addition to the foregoing requirements each applicant [for an operator's license] shall file with his application a certificate signed by a reputable physician stating that after a physical examination he has found the applicant free of any infectious or contagious disease.

Sec. 14. The director of licenses shall have power to revoke any certificate of registration or license granted under this act for * * * (d) doing work in an unsanitary or filthy manner; * * *

Regulations of State Board of Health—Change in Section Numbers. (Reg. Bd. of H., August 29, 1927)

[The regulations of the State board of health, revised and adopted August 29, 1927, make changes in the numbering of certain sections. Sections 74 to 77, inclusive, of the 1925 revision of the regulations are numbered 78 to 81 in the 1927 revision.]

WEST VIRGINIA

State Tuberculosis Hospital—Establishment, Management, and Operation—Admission, Care, and Treatment of Patients. (Ch. 8, Act of 1927)

That there is hereby established a new or additional State sanitarium for the treatment of tuberculosis and provision made for the control and main-

tenance thereof as follows:

Section 1. There is hereby created for the care and treatment of persons afflicted with tuberculosis, or consumption, a State institution to be known as a State tuberculosis sanitarium. It shall belong to that class of institutions mentioned in section 3 of chapter 15-m of the Code of West Virginia and shall be managed and controlled as provided for in said chapter, all the provisions whereof shall be as applicable to said sanitarium as if the same were named in said section 3 of said chapter. The chief executive officer thereof shall be the superintendent, who shall be a legally qualified physician of at least six years' experience in the practice of his profession and shall be a person of good executive ability and shall be appointed by the governor with the advice and consent of the senate.

SEC. 2. The State board of control and the State department of health shall jointly select a suitable site for such sanitarium and provide plans for the necessary buildings, such site, however, to be located south of a line drawn east and west through the town of Flatwoods, Braxton County, W. Va.; and thereafter all the provisions of said chapter 15-m of the Code of West Virginia

shall govern herein as far as applicable.

SEC. 3. There shall be admitted into said sanitarium residents of this State who may be suffering with tuberculosis, which persons shall be divided into two classes, namely; First, those unable to pay the expenses of their care and treatment; second, those who are able to pay and shall pay same. The reasonable expenses of poor persons admitted at the request of the authorities of any municipal corporation or county shall be paid by such municipal corporation or county. Regulations may be made to receive persons who are able to pay part but not able to pay all of the expenses of their care and treatment. Schedules of rates to be paid by patients shall be made by the State board of control.

Vinegar—Definitions—When Deemed Adulterated—Manufacture, Sale, and Labeling. (Ch. 50, Act of 1927)

That a general definition of vinegars be fixed by law, and that the manufacture, pack, distribution, possession, or sale of said vinegar be provided for

and penalties prescribed for violations of this act as follows:

SECTION 1. All vinegar made by fermentation without distillation must carry in solution only the extractive matter derived exclusively from the fruit, grain, sugar, or sirup from which it was derived and fermented; all vinegars herein defined must comply with the provisions of this act.

The terms "cider vinegar" and "apple vinegar," or words of similar import, shall be construed to mean the product made exclusively from the expressed juice of fresh apples or parts of fresh apples by alcoholic and subsequent acetous

fermentations without distillation.

The term "evaporated apple products" vinegar["] or "vinegar made from evaporated apple products," or words of similar import, shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations without distillation of the aqueous extract obtained from clean, sound, dried apples, dried chopped apples, dried apple skins or cores, dried apple pomace, or boiled cider.

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The terms "wine vinegar" and "grape vinegar," or words of similar import, shall be construed to mean the product made exclusively from the expressed

juice of fresh whole grapes by alcoholic and subsequent acetous fermentations without distillation.

The term "malt vinegar," or words of similar import, shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations, without distillation, of an infusion of barley fruit or cereals whose starch has been converted by malt.

The term "sugar vinegar," or words of similar import, shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations, without distillation, of solutions of sugar, sirup, molasses, or refiner's sirup.

without distillation, of solutions of sugar, sirup, molasses, or refiner's sirup.

The terms "glucose vinegar" or "corn sugar vinegar," or words of similar import, shall be construed to mean the product made by the alcoholic and subsequent acetous fermentations, without distillation, of solutions of corn sugar or glucose prepared from corn starch.

Sec. 2. The terms "spirit vinegar" and "distilled vinegar," or words of similar import, shall be construed to mean the product made by the acetous

fermentation of dilute distilled ethyl alcohol.

Sec. 3. Vinegar as defined in sections 1 and 2 which fails to comply with such definitions, or which contain[s] any substance or ingredient not derived exclusively from the fruit, grain, sugar, or sirup from which it was made, except as provided in section 6, shall be deemed, for the purposes of this act only, as adulterated.

Sec. 4. All vinegar, whether made by fermentation or by the process of distillation with subsequent acetification, which contains less than 4 grams of acetic acid in 100 cubic centimeters of the vinegar at 20° C., shall be deemed

adulterated

SEC. 5. The product made by the destructive distillation of wood known as pyroligneous acid, or acetic acid derived from other sources than hereinbefore provided, or a product in which any such acid shan be used, mixed, or compounded, shall not be sold, offered, or had in possession for sale as vinegar.

Sec. 6. Packages containing vinegar, as defined in sections 1 and 2, which has been reduced with water, must be plainly marked, "reduced to —— per cent

acid strength," indicating the acidity to which it has been reduced.

Sec. 7. Each cask, barrel, or other container of vinegar as defined in sections 1 and 2 shall be plainly marked with the name of the manufacturer and place where such vinegar was made or the name and place of business of the distributor thereof, preceded by the words "manufactured for" or "distributed by" or some equivalent phrase, and the kind of vinegar contained therein, in the terms above defined, and no person shall falsely mark any package containing any vinegar so defined with any other brand or designation or with any additional words, marks, or description which shall be false or deceptive in any particular whatever.

SEC. 8. No person, firm, or corporation shall manufacture, sell, offer, or

have in possession for sale in this State-

1. Any vinegar defined in sections 1 and 2 which does not comply with the definitions therein set forth and the provisions of this act.

2. Any adulterated or misbranded vinegar.

3. Any vinegar or product or product made in imitation of any vinegar defined in sections 1 and 2.

4. Any vinegar to which any artificial coloring matter has been added of

any kind whatever.

Sec. 9. Violation of this act shall be a misdemeanor and punished by a fine of not less than \$5 nor more than \$100 for the first offense and not less than \$5 nor more than \$200 for all subsequent offenses.

SEC. 10. This act shall take effect November 1, 1927.

Alcoholic Drinks and Narcotics—Teaching in Public Schools of Nature of, and Effects Upon Human System. (Ch. 12, Act of 1927)

Section 1. The nature of alcoholic drinks and narcotics and special instruction as to their effects upon the human system shall be included in the branches of study taught in all public schools within the State of West Virginia, which instruction shall be properly adapted to the various grades in said schools and shall be taught as thoroughly as other required subjects therein, in elementary, grammar, high schools, and State normal schools. The State board of education shall prescribe and arrange the courses of study in said schools in accordance herewith.

Sec. 2. It shall be the duty of the proper officers in control of any school described in the foregoing section to enforce the provisions of this act, and any such officer, school director, board, committee, superintendent, or teacher who shall refuse or neglect to comply with the requirements of this act, or shall neglect or fail to make proper provisions for the instruction required and in the manner specified by the first section of this act for all pupils for each and every school under his jurisdiction shall be removed from office and the vacancy filled as in other cases.

Sec. 3. The nature and effects of alcoholic drinks and narcotics on the human system shall be included in the subjects upon which applicants for elementary certificates to teach in the public schools are required to pass

examination.

WISCONSIN

Communicable Diseases—Placarding—Payment of Expense of Quarantine. (Ch. 201, Act June 4, 1927)

Section 1. Subsection 7 of section 143.05 of the statutes is amended to read: (143.05) (7) All residences where a quarantinable disease exists shall be placarded by the health officer while the disease is present and until disinfection. The expense of maintaining quarantine, including examinations and tests for disease carriers and the enforcement of isolation on the premises, shall be paid by the city, incorporated village, or town upon the order of the local board of health.

Whooping Cough—Reports of Cases—Placarding—Isolation—School Attendance—Contacts. (Reg. Bd. of H., July 14, 1927)

[Rule 12, communicable disease regulations, was amended by making the part relating to whooping cough read as follows:]

Whooping cough.—1. Cases must be reported to the local health officer within 24 hours after discovery by the attending physician or responsible head of the family, if a physician is not employed.

2. Conspicuous placard on house and isolation of patient. Placard may be removed in four weeks from date of report to local health officer: *Provided*, Such period is not less than six weeks from beginning of catarrhal symptoms.

3. Patients with whooping cough are not permitted to leave the premises under any circumstances while the house is placarded without a written permit from the health officer. Children from other families can not enter or remain upon the placarded premises.

4. Well children in family may attend school.

5. Children exposed to whooping cough, whether residing within or without the family, who develop coughs and colds must be kept isolated upon the premises pending diagnosis of whooping cough or recovery.

Scabies-Placarding. (Reg. Bd. of H., January 20, 1927)

In cases where parents neglect or refuse to provide children who have scables with immediate and proper treatment until the ailment is cured as determined by the entire disappearance of the eruption, it shall be the duty of the health officer of the town, village, or city where the family resides to immediately placard said home until such time as the disease is no longer communicable.

Venereal Diseases—Investigation of Cases Not Under Treatment—Commitment of Infected Persons Ceasing or Refusing Treatment. (Ch. 78, Act May 7, 1927)

Section 1. Subsections 2 and 5 of section 143.07 of the statutes are amended to read:

(143.07) (2) An officer of the State board of health having knowledge of any known or reasonably suspected case of such a menace for which no treatment is being administered under the supervision of a physician authorized to prescribe drugs shall forthwith investigate or cause such case to be investigated by such means as may be necessary. A local health officer who is a physician may be authorized to make such investigations in any specific case when directed to do so by the State board of health or the State health officer.

(5) Any such person who thus ceases or refuses treatment under the supervision of a physician authorized to prescribe drugs, upon proof of the facts, may be committed by the judge of any court of record to any county or State institution where proper care and precaution can be provided, provided that any county board of counties having a population of 250,000 or more may

designate the county institution or place to which such commitments shall be made. Such person shall, upon verified petition setting forth the facts by an officer of the State board of health or a local health officer authorized by such board, be summoned by such judge to appear at the time and place stated in the summons, which time shall be not less than 48 hours after service. If the person summoned, as herein provided, shall fail without reasonable cause to appear and abide the order of the judge he may be proceeded against as in case of contempt. In any case when it shall be made to appear to the judge that such summons will be ineffectual a warrant may be issued by such judge, directed to the sheriff or any constable or police officer of the county for the apprehension and production of such person complained against before such judge forthwith, and such person shall be arrested and taken before such judge accordingly. Upon return of the process the judge shall proceed to hear the latter summarily. Commitment shall continue until the disease is no longer communicable or until other provisions satisfactory to the State board of health are made for treatment, the certificate of the officer making the complaint being prima facie evidence of either. Nothing herein contained shall be construed as in any manner restricting or limiting the rights of individuals as declared in subsection 2 of section 147.19.

Persons Convicted of Acts Involving Moral Turpitude—May Be Required to Undergo Medical Examination for Venereal Disease. (Ch. 142, Act May 18, 1927)

Section. 1. A new subsection is added to section 143.07 of the statutes to read: (143.07) (13) Any city or county may by ordinance require that every person arrested and convicted within its jurisdiction for any act involving moral turpitude shall undergo a medical examination to determine whether or not such person is afflicted with a venereal disease. Nothing herein contained shall be construed as in any manner restricting or limiting the rights or privileges of individuals under the provisions of subsection 2 of section 147.19, or to compel such individuals to submit to such examinations.

Schools—Alteration, Repair, Erection, Equipment, Inspection, Cleaning, and Disinfection of Buildings—Abatement of Nuisances on Premises—Toilets—Use of Buildings, etc., by Associations for Promotion of Public Health—Instruction in Health Subjects and Physical Education. Public Buildings—Inspection by Local Health Officer. Pupils—Exclusion from School When Habitually Dirty, etc. Communicable Diseases—Reports by Local Health Officer to School and Library Authorities—School Attendance—Reports by School Authorities to Local Health Officer—Library Books—Exclusion from School of Unvaccinated Persons Upon Appearance of Smallpox—Free Vaccination of Pupils During Smallpox Outbreak. (Ch. 425, Act July 21, 1927)

SEC. 13. Sections 39.07 and 39.25 of the statutes are consolidated, renumbered, and revised to read:

39.03. County superintendent; duties.—* * * (2) Direct school board. He shall direct the school board to make any alterations and repairs which, in his opinion, shall be necessary to the health, comfort, or progress of the pupils; and to abate any nuisance upon the school premises, provided the same can be done for \$25.

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Sec. 39. Section 39.02 of the statutes is renumbered and revised to read: 39.33. Inspection of school buildings.—* * * 2. Whenever any county or city superintendent of schools, member of a school board or board of education, or an elector of a school district, or a member of a board of health shall complain in writing to the State superintendent that any building used for school purposes in his district is in such a condition as to endanger the lives or health of the pupils, or that the schoolhouse is otherwise unfit for school purposes, the State superintendent shall investigate the matter.

3. If the conditions warrant it, the State superintendent shall order the school board or other officers having control of the school to repair and improve or remodel such building within a stated time so as to render it safe and sanitary; or if he shall deem the building unfit for school purposes and not worth repairing, he shall state said fact, and shall order the erection of a new building by a

stated date, and after said date use of the condemned building shall deprive the district of its right to share in the school fund income.

4. The State superintendent shall file said order in his office and shall cause copies thereof to be promptly delivered by mail or otherwise to the clerk of the proper school district and to the proper county or city superintendent and to the clerk of the municipality in which the building is located.

5. The State superintendent shall, upon the written application of the local school officers, grant a hearing in the matter; pending such hearing, execution of the order shall be stayed till the conclusion of the hearing, and the super-

intendent may affirm, amend, or vacate his original order.

Sec. 56. Section 40.26 of the statutes is renumbered section 40.16 and revised to read:

40.16. School board; powers and duties; school property and affairs; custody and management.—* * * 2. The [common school] board shall keep the buildings in good repair and suitably equipped.

3. The board shall provide and maintain enough suitable and separate privies

or water-closets for both sexes at each school.

8. Where the citizens of any community are organized into a nonpartisan, nonsectarian, nonexclusive association * * * for the promotion of public health by instruction in physical culture and hygiene or by physical exercises the board shall grant to such association the use of the schoolhouse or other public property which is capable of being used in the work of such association (when not being used for their prime purpose), shall provide (free of charge) light, heat, and janitor service, when necessary, and shall make such other provisions as may be necessary for the free and convenient use of such buildings or grounds by such organization, at such times as the organization shall designate. All such gatherings shall be free to the public.

SEC. 62. Section 40.10 and section 40.30, except subsections 8 and 9 of the

statutes, are consolidated, renumbered section 40.22, and revised to read: 40.22. Curriculum.—* * * 2. Physiology and hygiene: Physiology and hygiene, sanitation, the effects of stimulants and narcotics upon the human system, symptoms of disease, and the proper care of the body shall be taught daily for one-half of the school year in either the sixth, seventh, or eighth grade, but no pupil shall be required to take such instruction if the parents shall file with the teacher a written objection thereto. A semester of work of physiology and hygiene shall be offered in each high-school curriculum.

3. Physical education: (a) Physical instruction and training shall be provided for all pupils in conformity with the course of instruction in physical education prescribed by the State superintendent. In one and two room schools such instruction and training shall take the form of supervised playground work. The time devoted to such course by each pupil above the kindergarten shall aggregate at least two and one-half hours each school week, exclusive of

recess periods.

(b) Every county normal-school and every high school course for the training of teachers shall require all students to take a course in physical education

and playground games and management.

(c) Physical education as used herein is instruction in the theory and practice of physical exercise and instruction in hygiene, but does not include medical supervision.

Sec. 104. Section 40.72 of the statutes is repealed, and subsection (1) of section 143.03 is amended by adding at the end thereof the following:

The local health officer shall inspect the schoolhouses and other public buildings within his district with sufficient frequency to determine whether such buildings are kept in a sanitary condition.

SEC. 105. Section 40.70 of the statutes is renumbered section 143.12 and

revised to read:

143.12. Communicable diseases; schools and libraries; duties of teachers, parents, officers.—(1) Upon the appearance of any dangerous communicable disease, the local health officer shall give written notice to the principal or teacher of each school and the librarian of each library in his district of the names of all families where the disease exists. If the rules of the State board

of health provide for the exclusion from school of persons who live in homes where such diseases exists, the health officer shall request the principal of the school to exclude from school all such persons until a written order signed by

the health officer permitting attendance is presented.

(2) When the principal or teacher of a school has been notified of the prevalence of a dangerous communicable disease in the school district, or when the principal or teacher of the school knows or suspects that a dangerous communicable disease is present in the school he shall at once notify the local health officer, who must then investigate the matter.

(3) Parents shall not permit children afflicted with a dangerous communi-

cable disease to attend school.

(4) All school houses before the beginning of each school term shall be thoroughly cleaned, and after the outbreak therein of any contagious disease shall be thoroughly disinfected, as provided by the State board of health. All buildings requiring disinfection shall be disinfected by or under the direction of the local health officer, and the expenses of disinfection shall be paid by the town, vilage, or city, upon the order of the local board of health.

town, vilage, or city, upon the order of the local board of health.

(5) Neglect or refusal on the part of any principal or teacher to comply with the requirements of this section shall be sufficient cause for his dismissal.

(6) All teachers shall send home pupils who are habitually dirty, noisome, or lousy, and shall immediately give written notice to the school board or the superintendent of schools and to the parents of such pupils of such action and the reasons therefor.

(7) Library books shall not be taken into or returned from a home where such disease exists or has recently occurred unless thoroughly disinfected by or under the direction of the local health officer and may be burned by such officer.

SEC. 106. Section 40.71 of the statutes is renumbered section 143.13 and re-

vised to read:

143.13. Protection against smallpox.—(1) Each local board of health shall forthwith, upon the appearance of smallpox, prohibit the inhabitants of the municipality from attending school for a period of 14 days, excepting persons who have been successfully vaccinated or who show a doctor's certificate of recent vaccination.

(2) Should new cases of smallpox continue to develop in the municipality, the local board of health shall renew such order for so many days as the State

board of health may deem necessary.

(3) When exclusion from school is so ordered, the local board of health shall provide for the free vaccination of all children of school age during the outbreak of smallpox, the necessary expense thereof to be paid by the municipality upon the order of the local board of health. The State board of health shall determine the method to be employed in such vaccination, shall designate the persons to do the work and may determine the maximum fee to be charged.

SEC. 123. Section 41.17 of the statutes is amended to read:

41.17. Teachers and courses of study.—(1) * * * the courses of study in these [vocational] schools shall be approved by the State board of vocational education, and shall include * * * physical education, sanitation and hygiene, and the use of safety devices, and such other courses as the State board of vocational education shall approve.

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Certain Sections of Statutes relating to Public Health—Renumbering. Vital Statistics—Registration Districts and Local Registrars Designated. Marriage—Certain Persons Declared Incapable of Contracting. Communicable Diseases—Unlawful to Expose Persons to Danger of Contracting. (Ch. 473, Act August 1, 1927)

2.2. 9. Section 20.73 of the statutes is renumbered section 14.71 (general departmental powers).

Sec. 16. Section[s] 60.305 to 60.3059 of the statutes are renumbered as follows: Section 60.305 is renumbered to be 60.301; section 60.3051 is renumbered to be 60.302; section 60.3052 is renumbered to be 60.303 (1); section 60.3054 is renumbered to be 60.304; section 60.3055

is renumbered to be 60.305; section 60.3056 is renumbered to be 60.306; section 60.3057 is renumbered to be 60.307; section 60.3058 is renumbered to be 60.308; section 60.3059 is renumbered to be 60.309.

SEC. 20. Section 69.05 of the statutes is amended to read:

69.05. Districts and local registrars.—For the purposes of this chapter the State shall be divided into registration districts as follows: Each city, incorporated village, and town shall constitute a primary registration district. The health officer of the board of health in cities and the clerk of each town and incorporated village shall be the local registrar of vital statistics.

Sec. 42b. Sections 351.44 and 351.45 of the statutes are repealed; and subsection (1) of section 245.03 is amended to read: (245.03) (1) * * * No insane, imbecile, feeble-minded, or epileptic person or idiot shall be capable of contracting marriage.

Sec. 56. Section 352.47 of the statutes is renumbered section 143.11.

SEC. 57. Section 352.48 of the statutes is renumbered section 143.10 and

amended to read:

143.10. Contagious diseases; suspected cases; protection of public.—Any person who knows that he is afflicted with smallpox, diphtheria, scarlet fever, or other dangerous communicable disease, who shall willfully enter any public place or public conveyance, or shall, in any way, willfully subject others to danger of contracting his disease, and any person who shall knowingly and willfully take, aid in taking, advise, or cause to be taken a person who is afflicted or is suspected of being afflicted with any such disease into any such place or conveyance, or in any way knowingly and willfully subject, expose, or aid in exposing any other person to danger of contracting any such disease, shall be punished by imprisonment in the county jail not more than 100 days nor less than 20 days, or by fine not exceeding \$100 nor less than \$50, or by both such fine and imprisonment.

State and County Tuberculosis Hospitals—Admission and Maintenance of Patients. (Ch. 537, Act August 12, 1927)

Section 1. Subsection (1) of section 50.02, subsection (1) of section 50.05, subsections (1) and (2) of section 50.07, section 50.075 * * * of the

statutes, are amended to read:

50.02. (1) Any person who has a legal settlement in this State as defined in secton 49.02 and is affected with pulmonary tuberculosis in the incipient or slightly advanced stage may be admitted to either of said institutions, but preference shall be given to those suffering from the disease in the incipient form. There may also be admitted any such person who presents symptoms of tuberculosis calling for careful observation in order to make a diagnosis, and who in the opinion of the superintendent is a proper subject for treatment in either of said institutions. Applicants for admission shall be given a preliminary medical examination at various places throughout the State, designated by the board of control, as provided in subsection (2).

50.05. (1) Any person who is threatened with or recovering from tuberculosis and who has a legal settlement in this State may be received into this institution and cared for at the rate determined by the superintendent and board of

control to be the cost of maintenance.

50.07. (1) Any person suffering from tuberculosis who has a legal settlement in any county in this State may be received into any such county institution and cared for upon payment of a rate which shall not exceed the actual cost of maintenance therein. There may also be admitted any person who presents symptoms of tuberculosis calling for careful observation in order to make a diagnosis, and who in the opinion of the superintendent and visiting physician, if the superintendent is not a physician, is a proper subject for treatmet in any such county institution. Every applicant for admission shall furnish a certificate of a regularly licensed physician that he is suffering from tuberculosis, or that he presents symptoms of tuberculosis calling for careful observation in order to make a diagnosis.

(2) Any such person who is unable to pay for his care may be admitted and maintained in such institution at the charge of the county in which he has his legal settlement, pursuant to subsection (2) of section 50.03, except that the county chargeability shall be determined by his legal settlement in the county charged. Such maintenance shall include necessary traveling expenses including the expenses for an attendant when such person can not travel alone, necessary clothing, toilet articles, emergency surgical and dental work, and all other necessary and reasonable expenses incident to his care in such institution.

50.075. Whenever the county chargeable with the support, maintenance, and other expenses of a person unable to pay for his care under sections 50.03, 50.05, or 50.07 can not be determined because his legal settlement is in doubt the total cost of such support, maintenance, and other expenses shall be a charge

against the State.

SEC. 2. A new section is added to the statutes to read:

51.30. Whenever poor relief is granted to any person under chapter 49, or whenever a person is committed to any institution specified in chapters 50 to 51, and the expense of such relief or of such maintenance in such institution is chargeable to the State or any subdivision thereof, or both, the relatives of such person described in section 49.11 shall be liable to the State or any such subdivision in the manner and to the extent provided in sections 49.11 and 49.12. The district attorney of any county in which any such relative resides shall at the request of the county judge or the governing body of any town, city, village, or county take all necessary proceedings to enforce the provisions of this section.

State Tuberculosis Hospital—Admission to, and Maintenance in, of Tuberculous Inmates of Certain State Institutions. (Ch. 456, Act July 28, 1927)

Sec. 1. A new subsection is added to section 50.02 and a new subsection

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is added to section 50.03 of the statutes to read:

50.02. (3) There may also be admitted for care and treatment upon proper certificate of examining physician and recommendation of the superintendent of the institution any inmate committed to the industrial school for boys, industrial school for girls, or the State public school who is suffering from tuberculosis, and the State board of control is hereby authorized to cause such

ransfers thereto.

50.03. (5) The maintenance cost of all patients admitted to said institution under the provisions of subsection (3) of section 50.02 shall be charged against the State; but the State shall charge over, as provided in subsection (2) of section 46.10, to the county from which the patient was originally committed one-half of the cost of maintenance in the sanatorium and the entire amount of all other expenses, provided the person was an inmate in the institution to which originally committed for one year or less; and if more than one year, the maintenance cost of all such persons admitted shall be paid by the State, but the county chargeable by law with the maintenance of such inmate in the institution from which the transfer was made shall continue to be liable in the same manner as provided for under section 48.17. If in the opinion of the superintendent of the sanatorium the patient so transferred is still in need of further care and treatment after the expiration of the original commitment, who shall make an investigation and determination in the manner prescribed in subsection (1) of section 46.10.

Tuberculosis Patients—State Aid to Counties for Maintenance of. (Ch. 94, Act May 11, 1927)

Sec. 1. Paragraph (a) of subsection (26) of section 20.17 and subsection 3 of section 50.07 of the statutes are amended to read:

20.17. (26) (a) From time to time such sums as may be necessary, to be credited and charged on taxes, as provided in sections 46.10, 50.07, 51.08, 51.12,

51.26, 51.27, and 51.28 of the statutes.

50.07. (3) Each county maintaining in whole or in part such an institution shall be credited by the State, to be adjusted as provided in section 46.10, for each patient cared for therein at public charge, as follows:

(a) For each such patient whose support is chargeable against said county,

\$7 per week.

(b) For each such patient whose support is enargeable against some other county, the total cost of his maintenance as determined by the board of trustees

of the institution and the State board of control, and the State shall charge over to such other county the difference between such total cost and \$7 per week provided through State aid.

County Nurses—Employment, Duties, and Compensation—Direction of Work of. (Ch. 155, Act May 24, 1927)

Section 1. Section 141.06 of the statutes is amended to read:

141.06. (1) The county health committee shall employ one or more county nurses, when so authorized by the county board and when provision is made by the county board for such nurse or nurses, whose duties shall be as follows: To act as health supervisor for schools not already having school inspection by a physician or nurse; to assist the superintendent of the poor; to instruct tuberculosis patients and others in preventing the spread of tuberculosis; to assist in reporting cases of tuberculosis and other communicable diseases; to assist in investigating cases of delinquency, neglect, and dependency of juveniles, including State aid to dependent children, in counties not employing a probation officer; to assist in investigating cases of nonschool attendance in districts not employing a school attendance officer; to assist in investigating cases of infringement on child labor laws; to investigate cases of crippled children; to act as health instructor throughout the county; and to perform such other duties as may be assigned.

(2) The work of the county nurse shall be directed by a county health committee composed either of the chairman of the county board, the county superintendent of schools, a woman appointed by the county board, the judge of the juvenile court and the deputy State health officer or county physician for that county, or of the deputy health officer and not less than five members of the

county board appointed by the chairman thereof.

(3) The county board shall fix the salary of the county nurse and make necessary appropriations to carry out the provisions of subsection (1): *Provided*, That the county board may at any time discontinue the services of the county nurse at the expiration of her contract.

Skimmed Milk, Whey, and Buttermilk Produced in Cheese Factories, Butter Factories, Receiving Stations, etc.—Pasteurization. (Ch. 48, Act April 22, 1927)

Section 1. Subsection (1) of section 94.09 of the statutes is amended to read: 94.09. (1) Every operator of a cheese factory, butter factory, or receiving station and every owner or manager of any other place or plant where milk or cream is received and skim milk, whey, or buttermilk therein produced is distributed as food for man or domestic animals shall, before said distribution, pasteurize said buttermilk, whey, or skim milk at a temperature of at least 145° F., and hold at the above temperature for at least 25 minutes, or when not held at the above temperature for at least 25 minutes shall be heated to a temperature of at least 185° F., or otherwise pasteurize as prescribed by rules or regulations of the State livestock sanitary board. The provisions of this subsection shall not apply to any cheese factory or butter factory or any of the aforesaid places or establishments that pasteurize in the manner hereinbefore described the milk or cream prior to manufacture, or at which all milk or cream delivered comes from herds which have passed a clean tuberculin test, upon certification of this fact by the commissioner of agriculture. The dairy and food commissioner shall enforce the provisions of this subsection.

Food—Untrue, Deceptive, or Misleading Advertisements Regarding, Prohibited. (Ch. 80, Act May 7, 1927)

SECTION 1. A new section is added to the statutes to read:

352.085. (1) No person, firm, corporation, cr association shall, with intent to sell or increase the consumption thereof, or create an interest therein, make, publish, disseminate, circulate, or place before the public in this State, or cause directly or indirectly to be made, published, disseminated, or placed before the public in this State in a newspaper or other publication, or in the form of a book notice, handbill, poster, bill, circular, or pamphlet, or in any other manner, an advertisement of any sort regarding articles of food, which advertisement contains any assertion, representation, or statement which is untrue, deceptive, or misleading.

(2) It shall be unlawful to advertise any dairy or other food product which is of a grade or quality inferior to or less valuable than the usual and ordinary grade established by common understanding or law for such product, or from which a more valuable portion has been removed, without plainly and conspicuously stating that the article advertised is below and inferior to the usual and ordinary grade.

(3) Any person, who by himself or his agent, or as the agent or servant of any other person, firm, corporation, or association, shall violate any provision of this section, shall be guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$50 nor more than \$200, or by imprisonment in the county jail for not less than 30 days nor more than 60 days, or both such fine and imprisonment.

(4) It shall be the duty of the dairy and food commissioner to enforce the

Bakery Products—Sale, Delivery, Keeping, Return, Exchange, and Destruction. (Ch. 327, Act July 1, 1927)

Section 1. Section 352.56 of the statutes is repealed.

Sec. 2. A new section is added to the statutes, to be numbered and to read: 352.56. (1) The sale and delivery of bakery products shall be so conducted as to prevent the distribution of contamination, infection, or disease among con-

sumers and to protect the food supply of the State against waste.

(2) For the purpose of this section the term "person" shall mean and include any and all persons, firms, or corporations engaged in the business of manufacturing, buying, selling, or dealing in bakery products within the State. The term "bakery products" shall mean and include bread, rolls, crackers, cakes, pies, or any other food products of which flour or meal is the principal ingredient. The term "delivered" shall include the placing of bakery products into any store or upon the premises or in the custody of any person.

(3) No person, or the servant or agent of any person, shall directly or indirectly return or accept the return or exchange of any bakery products that have been delivered or received for the purpose of sale, nor shall any consideration be given by any person in lieu of the return or exchange of such bakery products. The provisions of this subsection shall not prevent the return or exchange by any person of bakery products having marked defects as to preparation or quality that would cause persons desiring to purchase such articles of average quality to reject such defective articles, nor shall it prevent the giving of any consideration in lieu of an exchange of such defective bakery products.

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(4) The delivery, keeping on the premises for sale, or storing of bakery products in containers or under conditions which do not protect them against contamination, dust, vermin, insects, animals at large, or other means is prohibited.

(5) It shall be unlawful for any person to willfully destroy any bakery products that are fit for human or animal consumption by burning them or in any

way deliberately causing them to become unfit for food.

(6) Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail not to exceed 30 days, or by both fine and imprisonment.

(7) It shall be the duty of the dairy and food commissioner to enforce the

provisions of this section.

provisions of this section.

Bread-Labeling. (Ch. 230, Act June 14, 1927)

SECTION 1. A new section is added to the statutes to read:

352.075. (1) Bread, other than wheat or rye bread or milk bread or bread made from a mixture of rye and wheat flour or meal without the addition of materials imparting color that is sold as and for what it is, and bread advertised as having special, nutritive, healthful, or curative properties, or as being preventative of ailments, shall, if a descriptive name is used, be true to its name. When offered for sale in loaves, such bread shall be labeled, banded, or wrapped, or otherwise inclosed, and the label, band, or wrapper shall state the name of the maker of such bread and plainly and distinctly the ordinary names of all the ingredients, other than water, used in the manufacture of such bread, in the order of their preponderance by weight, and it shall be unlawful to make any statement regarding bread which shall be false, exaggerated, deceptive, or misleading in advertising or in any distributed printed or written matter.

(2) Any person who shall by himself, his servant, or agent, or as the servant or agent of any other person, firm, or corporation, violate or fail to comply with any provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than \$25 nor more than \$100, or by imprisonment in the county jail not less than 5 days nor more than 30 days, or by both such fine and imprisonment; and upon a second conviction shall be punished by a fine of not less than \$100 nor more than \$500, or by imprisonment in the county jail not less than 30 days nor more than 60 days, or by both such fine and imprisonment.

Rooms Used as Bakeries or Confectioneries—Not to Be Used for Other Purposes. (Ch. 272, Act June 28, 1927)

Section 1. Section 98.19 of the statutes is amended to read:

98.19. No room used as a bakery or confectionery shall be used as a habitation or sleeping place by any person, and such rooms used as bakeries or confectioneries shall not be used for any purpose except those incidental to the manufacture, storage, or sale of the products of such bakery or confectionery establishments and those incidental to the preparation of foods for sale and consumption in restaurants duly licensed under chapter 160 of the statutes and operated in connection with such bakery or confectionery.

Habit-Forming Drugs—Possession, Sale, Prescribing, Dispensing, and Use—Places Where Illegally Used or Kept Deemed Common Nuisances—Possession and Sale of Smoking Preparations, Pipes for Smoking Opium, etc., Unlawful. Hypodermic Instruments—Possession and Sale. Drug Addicts—Treatment. (Ch. 336, Act July 13, 1927, and Ch. 533, Act August 10, 1927)

SECTION 1. Section 146.02 of the statutes is amended to read:

146.02. State narcotic law.—(1) Subsections 1 to 29 of this section shall be known and may be cited as the "State narcotic law." No person except those registered by Federal authority so to do shall sell, furnish, or deliver any cocaine, opium, morphine, heroin, alpha, or beta eucaine, or any salt or combination of the same, or any mixture, preparation, or compound containing any cocaine, or more than two grains of opium, one grain of codeine, one-fourth grain of morphine, one-eighth grain of heroin, one-eighth grain or [of] alpha or beta eucaine in one ounce, fluid or avoirdupois ounce, except in pursuance of a written order of the person to whom such article is sold, bartered, exchanged, or given, on a form to be issued in blank for that purpose by the commissioner of internal revenue or upon the original prescription of an authorized practitioner of medicine, dentistry, or veterinary medicine, for a person or animal under his treatment, which prescription shall contain the signature of the prescriber and the name of the person for whom prescribed, and if a veterinary prescription, also the kind of animal. It shall be dated and kept on file by the dispenser for two years and shall not be again filled except upon order from the prescriber.

(3) Each druggist or pharmacist who fills a prescription for a narcotic drug shall securely attach to the container thereof a label, giving the name and address of the store where the prescription is filled, the date of filling, the name of the person for whom prescribed, the name of the physician, dentist, or veterinarian who issued it; and the narcotic drug so delivered shall always be kept in its container until used. No prescription shall be refilled, nor shall a copy of the same be made, except for the purpose of record by the druggist filling the same, such record to be open at all times to inspection by officers of the department of public health, the board of registration in pharmacy, the board of registration in medicine, authorized agents of said departments and boards, and by the police authorities and police officers of towns, villages, or

cities.

(4) No practitioner of veterinary medicine shall prescribe any narcotic drug for the use of a human being nor shall any physician or dentist prescribe, dispense, administer, sell, give, or deliver any narcotic drug to any person, except when the drug is obviously and in good faith then and there needed for the treatment and cure of a disease or ailment, and not needed for any condition or disease directly due to any drug habit, or resulting solely from the failure of an habitual user of narcotic drugs to procure the particular narcotic drug to the use of which he is addicted.

(5) A physician may personally administer any narcotic drug at such time and under such circumstances as he in good faith and in the legitimate practice of medicine believes to be necessary for the alleviation of pain and suffering or for the treatment or alleviation of disease; such physician shall keep a record of all such drugs dispensed or distributed, showing the amount dispensed or distributed, the date, and the name and address of the patient to whom such drugs are dispensed or distributed except such as may be dispensed or distributed to a patient upon whom such physician shall personally attend, and such record shall be kept for a period of two years, subject to inspection as provided in this section.

(6) A physician acting in accordance with proper medical practice may prescribe or dispense narcotics for the relief of acute pain, or for any acute condition, such as influenza, renal calculi, broken limbs, and such incurable diseases such as cancer, advanced tuberculosis, and other diseases well recognized as coming within this class. It shall be a violation of this section for any physician to prescribe narcotic drugs to a patient suffering from narcotic-drug addictions, except only in such cases where the drug addict is being treated by such physician for the cure of narcotic-drug addiction under confinement in institution.

(7) Whoever for the purpose of evading or assisting in the evasion of any provision of this section falsely represents that he is a physician, dentist, or veterinarian, or that he is a manufacturer of or jobber in drugs, or wholesale druggist, or pharmacist, actively engaged in business as such, or that he is a superintendent or official in immediate charge of an incorporated hospital, college, or scientific institution, or a person registered under the act of Congress approved December 17, 1914, as amended, or whoever not being an authorized physician, dentist, or veterinarian makes or alters a prescription or written order for any narcotic drug, or knowingly issues or utters a prescription or written order falsely made or altered, or whoever falsely utters any other matter, either in writing or orally, to any physician, dentist, pharmacist, or veterinarian for the purpose of securing a prescription or the delivery of a narcotic drug shall be punished as provided in subsection (27) of this section.

(8) The possession by any person of a United States certificate of registration issued under and by virtue of the act of Congress approved December 17, 1914, as amended, shall be prima facie evidence of an intent to sell, furnish, give, or deliver a narcotic drug.

(9) Whoever not being a manufacturer or jobber of drugs, wholesale druggist, registered pharmacist, registered physician, registered veterinarian, registered dentist, nurse, acting under direction of a physician, or employee of an incorporated hospital, acting under the direction of its superintendent or official in immediate charge, or a common carrier or messenger, when transporting any narcotic drug between persons mentioned in this subsection, in the same package in which the drug was delivered to him for transportation, is found in possession thereof, except by reason of a physician's prescription, lawfully and properly issued, shall be guilty of a violation of this section.

(10) Common carriers engaged in transporting narcotic drugs to any employee acting within the scope of his employment, or any person who is lawfully in possession for the purpose of delivery of any such drug, or to the person who delivers any such drug, which has been prescribed or dispensed by a physician, dentist, or veterinarian registered under the laws of the State where he resides, who has been employed to prescribe for the particular patient receiving such drug or to a nurse under the supervision of a physician or to a person who, as an officer or duly appointed agent of any incorporated society for the suppression of vice, has the same in his possession for the purpose of assisting in the prosecution of violations of this section shall not be considered to have violated the provisions of this section.

(11) No manufacturer or jobber in drugs, wholesale druggist, or registered pharmacist shall be liable to prosecution if he fills any prescription or written order for a narcotic drug in good faith, unless he knows or has reasonable cause to suspect that the prescription or order was in violation of this section.

(12) No physician, dentist, or veterinarian and no druggist or pharmacist either wholesale or retail shall solicit by public advertisement or otherwise the application to him for prescription for or sales of narcotic drugs, nor shall be publicly advertise any treatment, the principal element of which consists in the administering, dispensing, furnishing, giving, or delivery of a narcotic drug, except that a wholesale druggist or manufacturing pharmacist or private sanita-

rium may advertise in journals and publications intended for circulation among

the medical profession and drug trade generally.

(13) No person not being a physician, dentist, nurse, or veterinarian, registered under the laws of this State or of the State where he resides, or a registered embalmer, manufacturer, or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, registered pharmacist, manufacturer of surgical instruments, official of any government having possession of the articles hereinafter mentioned by reason of his official duties, nurse acting under the direction of a physician, employee of an incorporated hospital acting under the direction of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation of such articles, shall have in his possession a hypodermic syringe, hypodermic needle, or any instrument adapted for the use of narcotic drugs by subcutaneous injection except upon written order of a licensed physician and surgeon, dentist, or veterinarian. No such syringe, needle, or instrument shall be delivered or sold to or exchanged with any person except a registered pharmacist, physician, dentist, veterinarian, registered embalmer, manufacturer, or dealer in embalming supplies, wholesale druggist, manufacturing pharmacist, a nurse under the written order of a physician, or an employee of an incorporated hospital, upon the written order of its superintendent or officer in immediate charge except upon written order of a licensed physician and surgeon, dentist, or veterinarian.

(14) Each building, place, or tenement which is resorted to by habitual users of narcotic drugs for the purpose of using such drugs or which is used for the illegal keeping for sale of the same shall be deemed a common nuisance; and whoever keeps or knowingly maintains such a common nuisance shall be pun-

ished by imprisonment of not less than three months.

(15) It shall be a violation of this section for any practitioner of medicine, dentistry, or veterinary medicine to administer to himself as a habitual user narcotic drugs merely to satisfy his craving for the same, or furnish to or prescribe for the use of narcotic drugs with the purpose that the narcotic drugs be returned to him.

(16) The possession or sale of smoking preparations of hemp or loco weed, of a pipe or pipes used for smoking opium, or the usual attachments or attachment thereto or other contrivances used for smoking opium, shall be a violation of this section and shall be seized by a peace officer and such drugs and pipes shall be destroyed by such officer.

(17) The State board of pharmacy may revoke the registration of any registered pharmacist or assistant pharmacist upon conviction of the second offense

for violating any provisions of this section.

(18) No person shall take or use narcotic drugs habitually, excessively, or except in pursuance to a prescription for such permitted use as is prescribed in subsections (5) and (6) of this section. The possession of narcotic drugs by persons not authorized by law to have such possession, or their possession of a hypodermic syringe and hypodermic needle used in the administration of drugs, shall be prima facie evidence of the unlawful use of such drugs. Any person violating the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be punished by a fine or not more than \$100, or by commitment to an institution for the treatment of drug addicts for a period not less than six months, or until such person shall be cured of his addiction to the use of narcotic drugs, but not exceeding one year; nothing herein contained shall be construed as in any manner restricting or limiting the rights of individuals as declared in subsection (2) of section 147.19 of the statutes: Provided, however, That upon the certificate of the superintendent of the institution to which such person has been committed that such person has been cured of his addition to the use of narcotic drugs, such person shall be released and such commitment terminated. Any person so committed who has been confined in such institution for at least six months, and who has been refused a certificate of cure and release by the superintendent of such institution, may obtain a trial of the question of the cure of his addiction to the use of drugs in the same manner and with the same effect as is provided for the retrial of insane persons by section 51.11.

(19) The State board of control shall make provisions for the public treatment of narcotic drug addicts at one of the state institutions to which the commitment provided in subsection (18) of this section shall be made from counties, villages, and cities of the second, third, and fourth classes. Provision shall also be made by counties having a population of 250,000 for the public treatment

of narcotic drug addicts in local institutions, to which all commitments in pursuance of subsection (18) of this section in such counties shall be made. For each such drug addict treated in any local institution of any such county having a population of 250,000, the county giving such treatment shall receive the same allowance from the State as it receives for the care of other patients in the same institution.

(20) Any person resident in the State, who may be addicted to the use of narcotic drugs, may upon his agreement to remain in such institution for a period of six months, or longer if necessary for his cure, and his written application stating his addiction, supported by the certificate of at least two physicians, who shall have been duly licensed to practice and shall have had at least two years' experience in the practice of their profession, based upon personal examination of such person, be admitted as a voluntary patient to any institution provided by the State for the treatment of drug addicts, or if such person is a resident of a county having a population of 250,000, to such institution provided by such county. Such person, if so admitted to either of such institu-tions, if not indigent, shall be required to pay such sum for his maintenance and at such times as the State board of control or such counties may by rule, by-law. or ordinance prescribe. Otherwise all voluntary patients shall have the same standing and be subject to the same laws, rules, and regulations as drug addicts, except that they shall have the right to leave such institution at any time if in the judgment of the superintendent they are in a fit condition, on giving five days' notice to the superintendent of their desire to do so. Any such voluntary submission to admission and treatment shall operate as a bar to any prosecution for any violation of subsection (18) of this section theretofore committed by such voluntary patient.

(21) No practitioner of medicine, dentistry, or veterinary medicine, for the purpose of evading this section, shall furnish to or prescribe for the use of any habitual user of the same any cocaine, heroin, alpha or beta eucaine, opium, morphine, chloral hydrate, or any salt or compound of any of the foregoing substances, or any preparations containing any of the foregoing substances or their salts or compounds. No practitioner of dentistry shall prescribe any of the foregoing substances for any person not under his treatment in regular practice, nor shall any practitioner of veterinary medicine prescribe any of the foregoing substances for the use of a human being.

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(22) This section shall not apply to preparations containing less than 2 grains of opium in one fluid ounce when sold in good faith for diarrhoea, colic, or cholera, each bottle or package being accompanied by specific directions for use, nor to powder of ipecac and opium, nor to liniments, ointments, and other preparations sold in good faith for external applications, when plainly labeled "for external use only," nor to such sales made to physicians, druggists, manufacturers, hospitals, or other public institutions which make lawful use of such narcotics: Provided further, That any manufacturer, producer, compounder, or vendor (including dispensing physicians) of the preparations and remedies mentioned in this subsection shall keep a record showing the amount and kind, the date, and the name and address of the recipients of all sales, exchanges, or gifts of such preparations and remedies.

(26) Except as authorized by law, no person shall put any drug, medicine or chemical, or any compound or combination thereof in any public place, or without the consent of the owner or occupant upon any private premises, nor cause it to be done.

(27) Any person who shall violate any of the provisions of section 146.02, if not otherwise specifically provided, shall be guilty of felony and upon conviction shall be punished by a fine of not less than \$100 nor more than \$1,000, or by imprisonment in the house of correction or State prison or other State or county institution for not less than one year nor more than five years.

(28) No practicing physician or surgeon shall write or cause to be written any narcotic prescription or recipe except in ink or indelible pencil and in characters, figures or ciphers in the English or Latin language generally in use among medical practitioners and for every violation hereof the offender shall forfeit not less than \$5 nor more than \$25.

(29) It shall be the duty of the police and sheriffs throughout the State and members of the state board of pharmacy to enforce the provisions of section 146.02; and it shall be the duty of the district attorney in each county to prosecute violations thereof on complaint or on knowledge of such violations.

Water, Sewers, Police, and Health—Powers of Certain Counties and of Cities, Towns, and Villages in Such Counties Regarding. (Ch. 437, Act July 22, 1927)

SECTION 1. A new section is added to the statutes to read:

59.083. (1) Except as elsewhere specifically provided in these statutes, the county board of any county with a population of 250,000 or more is hereby vested with all powers of a local, legislative, and administrative character, including those conferred under section 3 of Article XI of the constitution of this State, and including without limitation or restriction because of enumeration the subject matter of water, sewers, * * * police, and health, and to carry out these powers through the creation of districts for different purposes, and the issuing of bonds, assessment certificates and improvement bonds or any other evidence of indebtedness. The powers hereby conferred may be exercised by the county board in any town, city, or village or part thereof located in such county upon the request of the governing body of any such town, city, or village, evidenced by a resolution adopted by a two-thirds vote of the members-elect of such governing body, designating the particular function, duty, or act and the terms, if any, upon which the same shall be exercised by the county board. Such resolution shall further provide whether the authority or function is to be exercised exclusively by the county or jointly by the county and the town, city, or village, and shall also find that the exercise of such power by the county would be in the public interest.

(2) Upon receipt of the resolution described in subsection (1), the county board shall, by a resolution adopted by a two-thirds vote of its membership, elect to assume the exercise of such function, upon the terms and conditions set

forth in the resolution presented by the town, city, or village.

(3) After and upon the adoption of such resolutions the county board shall have full power to legislate upon and administer the entire subject matter committed to it, and among other things to determine, where not otherwise provided

by law, the manner of exercising the power thus assumed.

(4) The town, city, or village concerned may enter into necessary contracts with the county and appropriate money to pay to the county the reasonable expenses incurred by it in rendering the services assumed. Such expenses may be certified, returned, and paid as are other county taxes and charges. Said towns, cities, and villages are vested with all necessary power to do the things herein required and to do all things and to exercise or relinquish any of the powers herein provided or contemplated.

(5) The powers conferred by this section shall be in addition to all other

grants of power and shall be limited only by express language.

Waters of the State—Prevention of Pollution—Creation, Powers, and Duties of Committee on Water Pollution—Appropriations to State Board of Health. (Ch. 264, Act June 23, 1927)

SECTION 1. Subsection (18) of section 20.20 of the statutes is repealed.

Sec. 2. Seven new sections are added to the statutes, and two new subsections are added to section 20.43 to read:

144.51. As used in sections 144.51 to 144.57 the following terms mean: (1) "Surface waters" include all lakes, rivers, and water courses within the

State.
(2) "Industrial wastes," liquid or other wastes resulting from any process of industry, manufacture, trade, or business or the development of any natural resource.

(3) "Other wastes" include decayed wood, sawdust, shavings, bark, lime, sand, ashes, offal, oil, tar, chemicals, and all other substances, except industrial wastes and sewage, as this latter term is defined in section 144.01, which pollute any of the surface waters of the State.

(4) "Pollution," the contamination or rendering unclean or impure, injurious to the public health, harmful for commercial or recreational use, deleterious to

fish or animal or plant life of the waters of the State.

144.52. (1) The committee on water pollution shall consist of the State chief engineer, a member of the railroad commission designated by the commission, the conservation commissioner or one of his employees, whom he may designate to represent the conservation commission, the State health officer, or a member of the board of health designated by the board, and the State sanitary engineer, or other engineer appointed by the State board of health.

(2) The State board of health shall designate one of its representatives to be the secretary and executive officer of the committee, and shall be the administrative agent for the committee on water poliution. It shall make such inspections, conduct such investigations, and do such other acts as may be necessary to carry out the provision of this act within the limits of the appropriation made for this purpose. The executive officer shall have all of the powers conferred by law upon the committee, except that of enacting the general orders and rules and the regulations provided for in subsection (4) of section 144.53, subject, however, to the general direction of the committee and rules and regulations which it may adopt,

(3) The committee on water pollution shall meet regularly in January and July of each year, and special meetings may be held at any time or place as agreed upon by the committee, or upon call of the State board of health, the State health officer, or of any three members of the committee, to take up any

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matter within its jurisdiction.

144.53. It shall be the duty of the committee on water pollution and it shall have power, jurisdiction, and authority: (1) To exercise general supervision over the administration and enforcement of all laws relating to the pollution of the surface waters of the State.

(2) To study and investigate all problems connected with the pollution of the surface waters of the State and its control and to make reports and recom-

mendations thereon.

(3) To conduct scientific experiments, investigations, and research to discover economical and practicable methods for the elimination, disposal, or treatment of industrial wastes to control pollution of the surface waters of the State. To this end the committee may cooperate with any public or private agency in the conduct of such experiments, investigations, and research, and may receive on behalf of the State any moneys which any such agency may contribute as its share of the cost under such cooperative arrangement.

(4) To issue general orders and adopt rules and regulations applicable throughout the State for the installation, use, and operation of practicable and available systems, methods, and means for controlling the pollution of the surface waters of the State through industrial wastes, refuse, and other wastes. Such general orders, rules, and regulations shall be issued only after an opportunity to be heard thereon shall have been afforded to interested parties and shall take effect as directed therein, which shall be not less than 30 days after publication in the official State paper.

(5) To the special orders directing particular owners to secure such operward the control of pollution of the surface waters as the comating res escribe within a specified time. If such results are not secured in the specir d time, the committee may direct the owner to use or adopt designated systems, devices, and methods for handling industrial wastes, refuse, and

other wastes within a specified time.

(6) To make investigations and inspections to insure compliance with any general or special orders, rules, and regulations which it may issue. In the exercise of this power the committee may require the submission and approval of plans for the installation of systems and devices for handling, treating, or

disposing of industrial and other wastes.

(7) To enter into agreements with the responsible authorities of other States, subject to approval by the governor, relative to methods, means, and measures to be employed to control pollution of any interstate streams and other waters and to carry out such agreement by appropriate general and special orders. This power shall not be deemed to extend to the modification of any agreement with any other State concluded by direct legislative act, but, unless otherwise expressly provided, this committee shall be the agency for the enforcement of any such legislative agreement.

144.54. Nothing in sections 144.51 to 144.57 shall be construed to limit or modify in any manner the powers and duties of the State board of health under sections 144.01 to 144.12, or to interfere with its power to select, employ, and direct the sanitary engineer and all other employees of its bureau of

sanitary engineering.

144.55. Every owner of an industrial establishment shall furnish to the committee on water pollution all information required by it in the discharge of its duties under section 144.53. Any member of the committee and any employee of the bureau of sanitary engineering may enter any industrial establishment for the purpose of collecting such information, and no owner of an industrial establishment shall refuse to admit such member or employee. Any member of the committee shall have power for all purposes falling within its jurisdiction to administer oaths, issue subpoenas, compel the attendance of witnesses and

the production of necessary or essential data.

144.56. Any owner or other person in interest may secure a review of the necessity for and reasonableness of any general or special order of the committee on water pollution in the following manner: (1) They shall first file with the committee a verified petition setting forth specifically the modification or change desired in such order. Upon receipt of such a petition the committee shall order a public hearing thereon and make such further investigations as it shall deem advisable. Not more than 30 days after the filing of the petition the committee shall affirm, repeal, or change the order in question.

(2) If dissatisfied with the determination made by the committee upon any such petition, any party in interest may commence an action in the circuit court of Dane County against the committee on water pollution, which shall be tried and determined as other civil actions. From any judgment in such

action either party may appeal to the supreme court within 30 days.

(3) In lieu of the remedy provided in subsection (2), any owner may agree in writing to submit the matter to the arbitration of three reputable and experienced sanitary engineers, one chosen by the owner, one by the committee on water pollution, and the third by the other two. The decision of such arbitrators shall be rendered in writing within 30 days after their selection, unless the time be extended by agreement, but no decision shall be binding unless agreed to by all of the arbitrators. All expenses of arbitration shall be paid by the owner applying therefor.

144.57. Any person who shall violate any of the provisions of sections 144.51 to 144.57, or who shall fail, neglect, or refuse to obey any general or special order of the committee on water pollution lawfully issued pursuant to section 144.53, shall forfeit and pay into the State treasury a sum of not less than \$10 nor more than \$100 for each violation, failure, or refusal. Each day of continued violation shall be deemed a separate offense.

20.43. (11) Annually, beginning July 1, 1927, \$15,000 to carry out its duties

as the enforcement agent of the committee on water pollution.

(11a) All moneys contributed by any public or private agency pursuant to a cooperative agreement with the committee on water pollution under sebsection (4) of section 144.53 are appropriated to the board of health, to be used for the purposes for which they were donated. Any balance remaining after the conclusion of the experiments, investigation, and research conducted under such cooperative agreement may be refunded to the donors.

SEC. 3. The introductory paragraph of section 144.01 of the statutes is

amended to read:

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144.01 (introductory paragraph). The following terms as used in sections 144.01 to 144.12 mean:

Metropolitan Sewerage Districts-Formation, Government, Powers, Duties, and Maintenance. (Ch. 442, Act July 26, 1927)

Section 1. A new section is added to the statutes to read:

66.20. (1) Metropolitan sewerage districts may be created, governed, and maintained as in this section provided, in contiguous territory containing two or more of any of the following municipalities: Any city or village in its entirety or any township or part thereof, located in one or more counties, when so situated that common outlet sewers or disposal plants will be conducive to the preservation of the public health, safety, comfort, convenience, or welfare.

(2) For the purposes of this section the following provisions and definitions

are made: (a) "District" means metropolitan sewerage district.

(b) "Commission" means metropolitan sewerage commission.

(c) "Commissioner" means a commissioner of the metropolitan sewerage

district.

(d) "Interception sewer" means one which receives the dry-weather flow from a number of transverse sewers or outlets with or without a determined amount of storm water from a combined system.

(e) "Main sewer" means one which receives one or more branch sewers

as tributaries.

(3) (a) The county court of any county in this State is vested with jurisdiction, power, and authority, when the conditions stated in subsection (4) of this section are found to exist, to establish metropolitan sewerage districts.

(b) Where the proposed district is in more than one county, the county court of the county containing the largest assessed valuation within the proposed

district shall have jurisdiction.

(4) Before any court shall establish a district as outlined in subsection (3):
(a) A petition signed by 5 per cent of the electors voting for governor at the last general election or by the owners or half the property, in either acreage or assessed value, within the limits of the territory proposed to be organized into such district, shall be filed with the clerk of the county court of the county having jurisdiction.

(b) No petition with the requisite signatures shall be declared null and void on account of alleged defects, but the court may at any time permit the petition to be amended in form and substance to conform to the facts, by correcting any errors in such petition. Several similar petitions or duplicate copies of the same petition for the organization of the same district may be filed prior to the time of the hearing of the first petition and shall be considered the same as though filed with the first petition.

(c) The petition shall set forth: (1) The proposed name of said metropolitan sewerage district; (2) the necessity for the proposed work; (3) a general description of territory to be included in the proposed work; and (4) a general

outline of the proposed improvements.

(5) (a) At the time of filing the petition, or at any time subsequent thereto and prior to the time of the hearing on said petition, a bond shall be filed by the petitioners with security approved by the court, sufficient to pay all the expenses connected with the proceedings in case the court refuses to organize the district. If at any time during the proceedings the court shall deem the bond first executed to be insufficient, it may by order require the execution of an additional bond within a time fixed, but not less than 10 days from the date of such order. Upon failure of the petitioners to execute the same the petition may be dismissed by the court.

(b) In lieu of such bond any municipality or group of municipalities interested in the formation of such district may guarantee the payment of such

expense.

(6) Immediately after the filing of such petition, the court shall fix a time and place for a hearing on said petition and shall cause notice by publication to be made of the pendency of the petition and of the time and place of such hearing. Such publication shall be made once a week for three consecutive weeks in a newspaper or newspapers of general circulation in the county or counties in which the proposed district is located. The first publication shall be not less than three weeks before said hearing. Said court shall also cause notice to be served personally upon the clerk of each municipality having territory in the proposed district, and upon the State health officer at least three weeks before said hearing.

(7) Any owner of real property, or the governing body of any municipality having territory within the proposed district, wishing to object to the organization thereof shall, on or before the date set for the hearing, file his or their objections to the formation of such district. Such objections shall be limited to questions of jurisdiction or a denial of the statements of the petition. The necessity for the formation of such district shall be heard by the court as an

advanced case and without unnecessary delay.

(8) (a) Upon the hearing if it shall appear that the purposes of this section will be best served by the creation of a district, the court shall, after disposing of all objections as justice and equity require, by its findings, duly entered of record, adjudicate all questions of jurisdiction, establish the boundaries and declare the district organized and give it a corporate name, by which in all proceedings it shall thereafter be known, and thereupon the district shall be a body corporate with the powers of a municipal corporation for the purposes of carrying out the provisions of this section.

(b) If the court finds that the territory set out in the petition should not be incorporated into a district, it shall dismiss said proceedings and tax the costs against the signers of the petition. If the district is established, certified bills covering the reasonable costs and disbursements of the petitioners may be presented to the commissioners herein provided for and paid out of the

funds of the district.

(c) The State board of health shall be represented at the hearing for the

creation of such district and advise with the court.

(d) Should it appear to the court at said hearing that other territory not included in the original petition should be included within the district, the

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property holders in such additional territory shall be duly notified in such manner as the court shall determine, and a second hearing shall be held at a time and place to be fixed by the court.

(e) The decree of the court, whether for or against the organization of the district, may within 20 days after such decree be appealed directly to the supreme court by any interested person feeling himself aggrieved, and the question presented upon said appeal shall be determined by such court upon the record made in the lower court.

(f) After 20 days from the date of such decree, if no appeal is taken therefrom, the clerk of the court rendering such decree shall transmit to the secretary of state, the secretary of the State board of health, and the register of deeds in each of the counties having lands within the district, copies of the findings and decree of the court incorporating said district. The same shall be filed or recorded in the above-mentioned offices in the manner prescribed by law concerning corporations, upon the payment of the requisite fee.

(9) (a) The district shall be governed by three commissioners appointed by

the court creating the district, and shall be residents of the district.

(b) At the time of their first appointment one member shall be appointed for a term of three years, one for a term of two years, and one for a term of one year. Upon the expiration of these several terms of office the county court shall appoint a successor, whose term of office shall be for three years and until a successor is appointed and qualified The county court may remove any member of the commission for cause after notice and hearing and may fill any vacancy

(c) Each member of the commission shall take and file the official oath.

(d) A majority of such commission shall constitute a quorum to do business and in the absence of two members one member may adjourn any meeting and make announcement thereof. All meetings and records of the commission shall be published.

(e) Such commission, when all of its members have been duly sworn and qualified, shall be a permanent body corporate and shall have charge of all

the affairs of the district.

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(f) Such commission shall organize by electing one of its members president and another secretary.

(g) The secretary shall keep a separate record of all proceedings and accurate minutes of all hearings.

(h) Each member of the commission shall keep an accurate statement of his necessary expenses and of the services rendered by him, together with the dates thereof.

(i) Each member of the commission shall receive as compensation for his actual necessary services \$10 per day of eight hours and proportionately for fractions of days for actual time spent in rendition of services and his actual reasonable expenses. Such compensation and expenses shall be filed as a bill in the court having jurisdiction and when allowed by that court shall be paid by the treasurer of the district out of any moneys in his hands belonging to such district.

(j) The treasurer of the city or village having the largest assessed valuation within the district shall act as treasurer of the district; shall receive such additional compensation therefor as the commission may determine; and shall at the expense of the district furnish such additional bond as the commission may require. Such treasurer shall keep all moneys of the district in a separate fund to be disposed of only upon order of the commission signed by the president and secretary.

(k) The commissioners shall prepare annually a full and detailed report of their official transactions and expenses and shall file a copy of such statement with the court, the State board of health, and the governing bodies of all cities,

villages, and towns having territory in such district.

(10) (a) The commissioners shall project, plan, construct, and maintain in such district intercepting and other main sewers for the collection and transmission of house, industrial, and other sewage to a site or sites for disposal selected by them, such sewers to be sufficient in the judgment of the commissioners, to care for such sewage of the territory included in such district. The commissioners shall project, plan, construct, and operate sewage disposal works at a site or sites selected by them which may be located within or outside of the territory included in the district. The comissioners shall also project, plan, construct, and maintain intercepting and other main sewers for the collection and disposal of storm water, which shall be separate from the sanitary sewerage

(b) Except as provided in this section the commissioners shall have the powers and proceed as a common council and board of public works in cities

in carrying out the provisions of paragraph (a) of this subsection.

(11) (a) If at any time the commissioners think it desirable to or are petitioned to include other territory in the district, a court proceeding similar to that for the creation of the original district shall be followed, such court proceeding, however, to be only upon the territory to be added and shall in no way effect the original district. A petition signed by the commissioners shall be deemed sufficient to start proceedings for the annexation of territory to the district.

(b) The commissioners may employ and fix compensation for a chief engineer and assistants, clerks, employees, and laborers, or do such other things as may be necessary for the due and proper execution of their duties. In their discretion, the commissioners may employ the chief engineer, agents, or employees of any municipality included wholly or partly in the district, as its

engineers, agents, or employees.

(c) The commissioners or their agents shall have access to all sewerage records of any municipality in the district and shall require all such municipalities to submit plans of existing systems and proposed extensions. The district shall file with the clerk or other authorized official of each city, village, or town having territory within the district a copy of all plans of works to be constructed by the district within such municipality. The district shall also file with each such clerk or other official a copy of all plans of sections of works without the municipality to which the sewerage facilities of such municipality

(d) The commissioners or their agents may enter upon the land in any city, village, or town in said district for the purpose of making surveys or examina-

tions in the performance of these duties.

(e) The district may enter upon any State, county, or municipal street, road, or alley, or any public highway within said district for the purpose of installing, maintaining, and operating the sewerage system provided for in this section, and it may construct in any such street, road, or alley or public highway a main sewer, intercepting sewer, or any appurtenance thereof without a permit or a payment of a charge. Whenever such work is to be done in a State, county, or municipal highway, the public authority having control thereof shall be duly notified, and said highway shall be restored to as good condition as existed before the commencement of such work, and all costs incident thereto shall be borne by the district.

(f) The district shall have power to lay or construct and to forever maintain without compensation to the State any part of said system of sewerage, or of its work, or appurtenances, over, upon, or under any part of the bed of any river or of any land covered by any of the navigable waters of the State, the title to which is held by the State, and over, upon, or under canals, or through waterways, and if the same be deemed advisable by the commission the proper officers of the State are authorized and directed upon the application of the commission to execute, acknowledge, and deliver to the commission such easements, or other grants, as may be proper for the purpose of fully

carrying out the provisions of this section.

(g) Whenever necessary in order to promote the best results from the construction, operation, and maintenance of the systems provided for in this section, and to prevent damage to the same from misuse, the commission may make, promulgate, and enforce such reasonable rules and regulations for the supervision, protection, management, and use of said system as it may deem expedient, and such regulations shall prescribe the manner in which connections to main sewers and intercepting sewers shall be made, and may prohibit discharge into such sewers of any liquid or solid waste deemed detrimental to the sewerage system herein provided for.

(h) The district may acquire by gift, purchase, lease, or other like methods of acquisition, or by condemnation any land or property situated in said district, and all tenements, hereditaments, and appurtenances thereunto belonging or in any way appertaining or in any interest, franchise, easement, right, or privilege therein, which may be required for the purpose of projecting, planning, constructing, and maintaining said main sewers, or any part or parts thereof, or that may be needed for the workings of said sewers when established. and so often as resort shall be had to condemnation proceeding the procedure

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94 here shall be that provided for by chapter 32, except that the powers therein granted shall be exercised by and in the name of said district in the place and instead of the county board. Furthermore, land or property may be acquired outside

of said district for the purposes of this section.

(4) Before any city, village, or town or any person, firm, or corporation connects with or uses any main or intercepting sewer it shall obtain the permission of the commission. Prior to permitting such connection the commission shall investigate or cause to be investigated the sewer system for which such connection is requested, and if found in a satisfactory condition such connection shall be permitted. Should such system be found defective in operation, construction, design, or supervision the commission shall notify the governing body of the city, village, or town, or the person, firm, or corporation having such system, what alterations, new constructions, or change in supervision or operation it shall require, and such connection shall not be permitted until all such requirements have been made.

(j) Nothing in this section shall be construed as restricting or interfering

with any powers of the State board of health as provided by law.

(k) Lands used for agricultural purposes within any such district shall not be subject to assessment under the provisions of this section, but as soon as such use ceases such lands shall be subject to assessment for benefits in the

manner herein provided.

(12) In case an intercepting sewer is or can be used by adjacent property owners, the municipality in which such intercepting or main sewer is located shall assess the adjacent property for benefits similar to the procedure followed by such municipalities in the construction by it of lateral sewers, and the moneys thus received shall be paid to the treasurer of the district.

the moneys thus received shall be paid to the treasurer of the district. (13) (a) The commissioners of such district shall, on or before the 1st day of October of each year, certify in writing to the clerks of the several cities, villages, or towns having territory in such district the total amount of tax assessed against the property of each such municipality lying within the

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(b) Upon receipt of such report the clerk of each such city, town, or village shall forthwith place the same upon the tax to be collected as other taxes, and such moneys when collected shall be paid to the treasurer of such district.

(14) Should any existing sewer or sewerage disposal plant be taken over by the district the value of the same shall be agreed upon by the commissioners and the governing body of the municipality owning such sewer or sewerage disposal plant, and such value after approval by the court shall be credited to such municipality. Should the commissioners and the governing body of said municipality be unable to agree upon a value the matter shall be submitted to arbitration by law.

Cattle Destroyed Because Tuberculous—Indemnity to Owner. (Ch. 255, Act June 21, 1927)

Section 1. Subsection (1) of section 94.16 of the statutes is amended to read:

94.16. (1) For each animal condemned and slaughtered the owner shall receive in addition to the net salvage upon the certificate of the Department of Agriculture and the State shall pay the owner in cases coming under the cooperative argeement between the State and the United States a sum equal to one-fourth of the difference between the net salvage and the appraised or agreed value of the animal, but additional payment shall not exceed \$45 for a registered bovine and \$20 for an unregistered one. In other cases the owner shall receive in addition to the net salvage, and the State shall pay, half of the difference between the net salvage and the appraised or agreed value, but not more than \$90 for a registered bovine and \$40 for an unregistered bovine. The indemnities herein provided for shall be paid to the owner of any steer, hereafter condemned and slaughtered pursuant to an area test, if such steer is less than 2 years of age and was bred and raised in this State.

Indemnity for Animals Destroyed Because Diseased—Form of Claims for. (Ch. 194, Act June 4, 1927)

SECTION 1. A new section is added to the statutes to read:

94.205. Any person having a claim for indemnity under chapter 94, who has heretofore or shall hereafter file a claim therefor subscribed by him as being

true and correct and witnessed by a duly authorized representative of the Department of Agriculture, shall be entitled to the allowance and payment of such claim to the same extent as if such claim was or is filed in affidavit form.

Dead Bodies—Preparation for Burial to Be Private. (Reg. Bd. of H., July 20, 1926; Officially Published July 20, 1927)

1. The care and preparation for burial of all dead bodies, regardless of cause of demise, shall be entirely private and no one shall be allowed in the embalming room except the registered embalmers and their assistants until the body is fully prepared and dressed, except by permission of the immediate family. Upon request the presence of a female shall be permitted in cases of a female corpse.

2. A copy of this rule must be framed and permanently fastened to the door

of the preparation or embalming room.

3. Any embalmer in the State of Wisconsin who neglects or refuses to comply with the provisions of this rule shall be deemed guilty of unprofessional conduct.

Embalmers—Application for License. Certain Embalming Schools—Approval of, as Accredited Schools. (Ch. 220, Act June 13, 1927)

SECTION 1. Section 156.02 of the statutes is amended to read:

156.02. Application shall be in writing, on blanks prescribed by the board, accompanied by \$5, and proof that the applicant is of good moral character, 21 years of age or over, has an education equivalent to graduation from the eighth grade, and has had either at least two years' practical experience in embalming and disinfecting under a licensed embalmer, or at least one year of practical experience in embalming and disinfecting under a licensed embalmer and has graduated from a school of embalming which requires as a prerequisite to graduation the completion of a course of study of not less than 12 weeks' duration, approved by the State board of health, provided that any school of embalming situated within the State of Wisconsin and having been in existence and operation in said State for at least five years immediately preceding the passage of this act, and giving a course of thorough instruction on the subjects of anatomy, bacteriology, autopsy, chemistry, professional embalming, funeral directing, and public health for a period of at least 12 weeks, consisting of 300 hours of instruction and complying with the rules and regulations promulgated by the State board of health for the conducting of embalming schools shall be approved by the State board of health as an accredited school.

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Marriages-Registration. (Ch. 222, Act June 13, 1927)

Section 1. Subsection (3) of section 245.24 and sections 245.25 and 245.29

of the statutes are amended to read:

245.24. (3) The blank form for the certificate in each case shall also provide space for the entry of the following items: Information concerning which it shall be the duty of the county clerk to acquire and enter in its proper place on the certificate at the time when the license is issued, the full name, age, color, place of residence, place of birth, occupation, and, if known, the father's name, and mother's name of each of the parties married; the number of times either of the parties may have been previously married and condition of each, whether single, widowed, or divorced; the bride's maiden name, in case she is a widow, together with such other statistical items as may, from time to time, be prescribed by the registrar of vital statistics. The original certificate in each case shall contain the following words: "N. B. This original certificate, legibly and completely filled out with unfading ink, must be returned to the local registrar of vital statistics within three days from the date of marriage. Maximum penalty for noncompliance, \$200."

245.25. The marriage certificates marked "duplicate" and "triplicate," duly signed, shall be given by the officiating person to the persons married by him; and the certificate marked "original," legibly and completely filled out with unfading ink, shall be returned by such officiating person, or, in the case of a marriage ceremony performed without an officiating person, then by the parties to the marriage contract, or either of them to the local registrar of vital sta-

tistics of the city, village, or town in which said marriage was performed, within three days after the date of said marriage. The marriage license shall be retained by the person who solemnizes the marriage, or in case of a marriage performed without an officiating person, by the parties to the marriage contract, or either of them, to be prima facie evidence of authority to perform the marriage ceremony.

245.29. Every officiating person, or persons marrying without the presence of an officiating person, as provided by subsection (2) of section 245.12, who shall neglect or refuse to transmit the original certificate of any marriage solemnized by him or them, to the local registrar of vital statistics three days after the date of such marriage, shall be fined the sum of not to exceed \$200.

Annulments of Marriages and Divorces—Reports to State Registrar of Vital Statistics by Court Clerks Regarding. (Ch. 111, Act May 12, 1927)

Section 1. Section 69.50 of the statutes is amended to read:

69.50. The clerk of every court having jurisdiction of divorce proceedings shall, within 30 days after January 1 of each year, return to the State registrar of vital statistics upon the blanks provided for that purpose statistics relative to each suit for annulment of marriage or divorce brought or acted upon in said court during the preceding year.

Waste or Rubbish—Depositing on Highways in Towns. (Ch. 514, Act August 6, 1927)

Section 1. A new section is added to the statutes to read:

60.70. Any person who throws or deposits any weeds, sod, brush, cans, machinery, or other waste or rubbish in any highway located in any town, without the written permission of the town board, shall, upon conviction, be punished by a fine of not to exceed \$50 or by imprisonment in the county jail not to exceed 30 days.

Barbers—Appropriation for Examination, Licensing, and Regulation of. Barbering—Regulation of Teaching and Practice of. (Ch. 195, Act June 4, 1927)

Section 1. Subsection (8) of section 20.43, and sections 158.01, 158.02, 158.04, 158.06, 158.08, 158.10, and 158.11 of the statutes are amended to read:

20.43. (8) All money received by the State board of health and vital statistics under sections 158.07 and 158.08 shall be paid, within one week after receipt, into the general fund, and are appropriated therefrom for the examination, licensing, and regulation of barbers as provided in sections 158.01 to 158.11, inclusive. Of this there is allotted to each member of the committee of examiners a per diem not exceeding \$10 per calendar day for the actual number of days served by such member in the performance of his duties as such; but in addition thereto he shall be reimbursed his actual expenses necessarily incurred in the performance of his duties.

158.01. Barbering is shaving, trimming the beard, cutting the hair, shampooing, scalp or face massage of any person for payment. Cutting, singeing, shampooing, or dyeing hair, or massaging the face or scalp of any person for payment may be performed by a person licensed under either chapter 158

or chapter 159 of the statutes.

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158.02. (1) The State board of health shall prescribe and enforce rules and regulations governing barber schools and for the examination and licensing of barbers, for the sanitary regulation of barber shops and barber schools, and may enter a barber shop or barber school during business hours for inspection. If a shop or barber school be found insanitary or if a barber working therein has been charged with imparting a communicable disease, the board shall immediately notify the local health officer and the shop or barber school shall be quarantined, and the barber so charged shall not practice until the quarantine is removed. Upon complaint that a barber shop or barber school is in an insanitary condition or that a communicable disease has been imparted the board shall investigate and enforce this chapter.

(2) The board shall furnish a copy of this chapter to anyone upon request, and may charge only such fees as are in this chapter specifically pro-

vided, which shall be paid to the secretary. The board shall keep a register of all licensed apprentices, journeymen, and master barbers, open to public inspection. The board shall keep a record of its proceedings, shall show whether an applicant was licensed or rejected, and such records shall be prima facie evidence of the facts recorded. The fiscal year shall close on June 30, and the board shall file with the governor annually in July an itemized report of receipts and expenditures and of its proceedings.

itemized report of receipts and expenditures and of its proceedings.

158.04. The State board of health shall appoint and may remove three barbers, each of whom shall have been engaged in barbering for at least five years in this State, as examiners. They shall be exempt from civil service. One of the appointive members shall be selected from a list of 10 names recommended by the Wisconsin United Master Barbers' Association and one from a list of 10 names recommended by the Wisconsin Federation of Barbers. Not more than two persons shall be recommended from any one county.

158.06. An apprentice barber or a student in a barber school shall apply for an apprentice permit, and upon approval an apprentice permit shall be issued permitting him to practice as an apprentice or student under a licensed master barber for two years from the date thereof, when he must apply for a journeyman's license. Application for an apprentice permit shall be accompanied by a fee of \$1

158.08. (1) Master's license shall be issued only to one having journeyman's license, the requisite skill to properly perform all the duties theerof including ability in the preparation of the tools, shaving, beard-trimming, hair-cutting, and all the duties and services incident thereto, and sufficient knowledge concerning the common diseases of the face and skin to avoid aggravation and spreading thereof in the practice. When the applicant passes examination he shall pay \$2 and the board shall issue a master's license. Masters' licenses shall expire on June 20 next succeeding issuance and be renewed upon application on or before June 20 and payment of \$2. If application for renewal is not made by June 20, annually, the fee is \$3. Renewal may be refused if application be not made at that time.

158.10. The board may revoke a license for (a) conviction or crime, (b) habitual drunkenness, (c) having imparted a communicable disease, (d) violation of the law or any sanitary rule or regulation prescribed under this chapter, (e) gross incompetency, or (f) fraudulent advertising. The holder shall have notice in writing of the charge, a public hearing upon at least five days' written notice, opportunity to present testimony, and to confront witnesses. After 90 days he may apply to have his license regranted and this shall be done upon satisfactory proof that the disqualification is removed.

158.11. An owner, proprietor, or manager of a barber shop or college who contracts to teach anyone the barber trade and accepts money in payment or who sells or rents or offers to sell or rent such barber shop to one who has not a master barber's license without first explaining the provisions of this chapter, and anyone who shall practice barbering without a license, aid or abet any person in violating the law or obtaining a license fraudulently, employ an unlicensed barber, falsely pretend to be licensed, or violate the law or any sanitary rule or regulation shall be fined not less than \$10 nor more than \$100, or imprisoned not less than 10 nor more than 90 days, or both.

Sec. 2. New subsections are added to sections 158.07 and 158.08 of the statutes to read:

(158.07) (3) No apprentice or journeyman barber shall practice barbering unless under the supervision and direction of a licensed master barber and can not be the owner, manager, director, or lessee of a barber shop in which he is working or have any interest therein other than as an employee in the capacity of apprentice or journeyman barber. Not more than one apprentice shall be employed in any one shop to each five or less master barbers. Any shop employing more than one apprentice to five master barbers must be classified and advertised as a school.

(158.08) (2) After July 1, 1927, no master barber's license shall be issued to anyone not possessing qualifications provided in subsection (1) and who is not a citizen or the United States and has not the equivalent of an eighthgrade education: *Provided*, *however*, That this paragraph shall not apply to any apprentice or journeyman barber licensed in this State prior to June 30,

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SEC. 3. This act shall take effect on July 1, 1927.

Barber Shops-Use for Living or Sleeping Purposes Prohibited-Establishment in Residences. (Reg. Bd. of H., July 14, 1927)

[Rule 1 of the rules governing barber shops was amended to read as follows:] RULE 1. The use of barber shops as a living, dining, or sleeping apartment is prohibited. After July 31, 1927, no barber shop may be established in a residence, except by permission of the State board of health.

Barber Schools-Rooms Required-Course of Instruction-Sanitary Requirements. (Reg. Bd. of H., July 14, 1927)

1. Barber schools must provide rooms for practical work and for demon-

stration and lecture purposes.

2. All schools must have a minimum course of instruction of not less than 600

3. Sanitation and hygiene, selection, and care of tools, shaving, hair cutting, facial massage, scalp treatment, and anatomy must be taught in barber schools by competent instructors.

4. The sanitary regulations governing barber shops shall also include barber

schools.

Cosmetic Art—Regulation of Teaching and Practice of—Inspection of Beauty Parlors and Schools of Cosmetic Art. (Ch. 150, Act May 24, 1927)

Section 1. Subsection (1) of section 159.01, and sections 159.02, 159.03, and 159.05, paragraph (a) of section 159.08 and sections 159.10, 159.12, 159.15, and 159.16 of the statutes are amended to read:

(159.01) (1) "Cosmetic art" is the systematic massaging with the hands or mechanical apparatus of the scalp, face, neck, shoulders, and hands, the use of cosmetic preparations and antiseptics, manicuring, bobbing, dyeing, cleansing, arranging, waving, curling, and marcelling of the hair and the use of electricity

for stimulating and for the removal of superfluous hair.

159.02. No person, firm, or corporation shall operate a school for the purpose of teaching cosmetic art or teach cosmetic art for compensation unless a proper certificate of registration has been obtained from the State board of health. Application for such certificate shall be filed with such board in such form as the board shall prescribe. No school for teaching cosmetic art shall be granted a certificate of registration unless it shall attach to its staff a regularly licensed physician and employs and maintains a sufficient number of instructors registered as such, who shall hold a manager's license as prescribed by the State board of health and shall require a course of training not less than 600 hours, to include both practical demonstrations, written and oral test, and include practical instructions, sanitation, sterilization, and the use of antiseptics with the practical and theoretical requirements as applicable to cosmetic art. Such certificate may be revoked as provided in section 159.14 of the statutes for revocation of licenses. Nothing contained herein shall prohibit a registered manager who conducts a beauty parlor from teaching cosmetic art in the regular course of business, providing he does not hold such beauty parlor out as a school, and does not hire or employ or teach regularly more than one apprentice to each three or less operators regularly employed in such beauty parlor or receive any money or other thing of value for such teaching.

159.03. The State board of health shall enforce the provisions of this chapter and shall prescribe and promulgate rules and regulations governing schools of cosmetic art and for the examining and licensing of managing and itinerant cosmeticians, and shall make and enforce reasonable rules governing the sanitary and hygienic conditions surrounding the practice of cosmetic art and the conduct and operation of beauty parlors and schools of cosmetic art. All fees required to be paid by any person or persons shall be paid to the secretary of

the State board of health.

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159.05. The State board of health shall appoint and may remove one woman inspector, who shall devote such time to inspecting beauty parlors, and in doing such other duties the board assigns, and may enter any beauty parlor or school of cosmetic art during reasonable business hours for the purpose of inspection. Whenever complaint is made to said board that any beauty parlor or school is kept in an insanitary condition, or that contagious disease has been imparted to any person thereby, said board shall cause such complaint to be investigated, and upon cause shown shall institute proper proceedings thereon.

(159.08) (a). Applicants for managers' or itinerants' licenses shall be at least 21 years of age, citizens of the United States, have practiced in a beauty parlor or school of cosmetic art for at least 18 months, including time spent in instruction.

159.10. No license shall be for a longer period than one year, and all licenses shall expire on December 20 next succeeding, except that apprentices' licenses shall expire at the end of six months after date of issue. All applications for the renewal of the license of a manager, operator, manicurist, or itinerant cosmetician, for the next succeeding year, shall be made or or before December

20, with the proper fee therefor.

159.12 Apprentices must practice for six months under the supervision and direction of a licensed manager before they shall be eligible to be licensed as operators. Upon proof of having so practiced and upon payment of \$2 an operator's license may be issued. No apprentice or operator shall practice cosmetic art unless under the supervision and direction of a licensed manager and can not be the owner, manager, director or lessee of a beauty parlor in which she is employed. An operator may be licensed as a managing or itinerant cosmetician after serving one year, including time spent in instruction, as an operator under the supervision and direction of a licensed manager if she has education equivalent to the eighth grade, passes examination, and pays \$15. No fee shall be refunded except that the initial fee may be returned in case of sickness or other good cause appearing to the satisfaction of the board preventing an applicant from attending and completing an examination. In case of failure to pass such examination, the applicant shall be entitled to a further exmination within one year thereafter without the payment of any additional fee. Such subsequent examination shall be only in such subjects in which the applicant failed in the first examination.

159.15 Any person who shall practice cosmetic art either as a manager, operator, apprentice, itinerant cosmetician or manicurist, without license, or any person who shall employ a manager, operator, manicurist or apprentice, without a license, aid or abet any person in violating the law or obtaining a license fraudulently, or falsely pretend to be licensed, or shall violate the law or any of the sanitary rules for the regulation of the practice of cosmetic art, shall be fined not less than \$10 nor more than \$100, or be imprisoned not less

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than 10 nor more than 90 days, or by both.

159.16 Any owner, proprietor or manager of a beauty parlor or school of cosmetic art who contracts with any person to train such person in cosmetic art or any branch thereof and accepts money in payment, or who sells or rents or offers to sell or rent such beauty parlor to any person who is not the holder of a manager's license, without first explaining to such person the provisions of this chapter, shall be punished as provided in section 159.15.

Schools of Cosmetic Art—Requirements for Certificate of Registration. (Reg. Bd. of H., July 14, 1927)

A certificate of registration may be granted to any person, firm, or corporation to conduct a school of cosmetic art who complies with the following conditions:

1. Evidence must be furnished as to the responsibility, financial and other-

wise, of the persons interested in the schools.

2. Employs one or more instructors who have had at least five years experience in cosmetic art, three years of which have been spent in managing a beauty parlor. Assistant instructors must have had at least three years experience in cosmetic art, one year as manager of a beauty parlor. Changes in instructors must be reported promptly.

3. Employs at least 1 instructor for 16 students or less, 2 instructors for more than 16 and less than 40 students, and 3 instructors for more than 40 and less

than 64 students.

4. Provides rooms with proper equipment for practical work and for lecture and demonstration purposes large enough to accommodate all students. A list of equipment must be submitted for approval.

5. A school shall not be conducted as a beauty parlor, and prices for services rendered the public shall cover only cost of materials. Price list must be submitted for approval and then posted on a card in large type in the school.

6. Advertises as a school and not as a beauty parlor.

7. Employs a physician to give lectures at least once a week. A list of 5 physicians must be submitted for approval by the State board of health.

8. Regular class hours must be maintained with a daily schedule. Schedule must be submitted for approval. Schools must furnish report cards showing that each student has received the required amount of instruction in each subject. These cards must be available for inspection by a representative of the State board of health.

9. Students, with the execption of manicurists, must take the complete course,

unless they hold an operator's or a manager's license.

10. Standard text books and charts must be provided by the school.

11. If the owner of a school is an instructor and also the owner of a beauty parlor, she must devote her full time to the school and employ a licensed man-

ager to take charge of the beauty parlor.

12. Six hundred hours training is required, which should be divided approximately as follows: Shampooing, 20; marcelling, 100; facial massage, 60; scalp treatment, 50; manicuring, 20; permanent waving, 100; water waving, finger waving, round curling and hair-dressing, 60; hair dyeing or coloring, 60; instruction in sanitation, sterilization, use of antiseptics, and lectures on the care and treatment of the skin and scalp, 80; written and oral tests on all subjects taught in school of cosmetic art, 50; making a total of 600 hours.

13. The sanitary regulations governing beauty shops shall also include beauty

culture schools.

Beauty Parlors—Use for Living or Sleeping Purposes Prohibited—Establishment in Residences-Sterilization of Instruments-Covered Waste Pail Required. (Reg. Bd. of H., July 14, 1927)

[Rules 1 and 16 of the rules governing beauty parlors were amended to read as follows:]

Rule 1. The use of the beauty parlor as a living, dining, or sleeping apartment is prohibited. After July 31, 1927, no beauty parlor may be established

in a residence, except by permission of the State board of health.

RULE 16. All instruments of whatsoever character used for direct contact upon a person must be sterilized by immersing in 50 per cent alcohol, 5 per cent carbolic acid, 20 per cent formaldehyde, 10 per cent Lysol, or by boiling at least 10 minutes after each separate use thereof. There must be at least one sterilizer and one covered waste pail in every beauty parlor.

WYOMING

Communicable Diseases-Reports of Cases-Definitions of Terms-Placarding-Handling and Sale of Milk and Other Food-Attendance at School and Gatherings-Incubation Periods-Periods of Communicability-Isolation—Quarantine—Immunization—Disinfection—Contacts—Carriers—Control Measures for Specific Diseases. (Reg. Bd. of H., July 2, 1927)

Rule 1. The following-named diseases and disabilities are hereby declared to be dangerous to public health and made notifiable, and the occurrence of

cases shall be reported as herein provided:

List of diseases.—Actinomycosis, ancylostomiasis (hookworm), anthrax. botulism, chancroid, chickenpox, cholera, conjunctivitis (acute infectious), dengue, diphtheria, dysentery (amœbic), dysentery (bacillary), encephalitis (lethargic epidemic), erysipelas, favus, German measles, glanders, gonorrhea, influenza, leprosy, malaria, Malta fever, measles, meningitis (meningococcus), mumps, paratyphoid fever, plague, pneumonia (acute lobar), poliomyelitis (acute infectious), rabies, Rocky Mountain spotted or tick fever, scarlet fever, septic sore throat, smallpox, syphilis, tetanus, trachoma, trichinosis, tuberculosis (the organ or part affected in each case to be specified), tularemia, typhoid fever, typhus fever, Vincent's angina, whooping cough, yellow fever.

Definition of terms.-Contact shall mean and include any person who has been sufficiently near to an infected person to make probable transmission of

the infectious disease to him.

Carrier shall mean and include a person who harbors the infectious agent of a communicable disease, but who at the time is apparently in good health.

Communicable disease shall mean and include a disease which may be transmitted direct or indirect to other persons or animals. It shall embrace the

terms infectious and contagious disease.

Cleaning: This term signifies the removal by scrubbing and washing, as with hot water, soap, and washing soda, of organic matter on which and in which bacteria may find favorable conditions for prolonging life and virulence; also the removal by the same means of bacteria adherent to surfaces.

Disinfection: By this is meant the destroying of the vitality of disease-

producing microorganisms by chemical or physical means.

Concurrent disinfection shall mean the immediate disinfection or destruction of body discharges and the immediate disinfection or destruction of all infected

or presumably infected material.

Terminal disinfection shall mean the process of rendering the personal clothing and immediate physical environment of the patient free from the possibility of conveying infection to others at the time that the patient is no longer a source of infection.

Fumigation: By fumigation is meant a process by which the destruction of insects, as mosquitoes and body lice, and animals, as rats, is accomplished by the employment of gaseous agents.

Infectious agent shall mean and include a virus or organism capable, under favorable conditions, of producing disease.

Immune shall be held to mean and include a person who is not susceptible to the infectious agent or a particular disease.

Isolation: By isolation is meant the separating of persons suffering from a communicable disease or carriers of the infecting organism from other persons in such cases and under such conditions as will prevent direct or indirect conveyance of the infectious agent to other persons.

Quarantine: By quarantine is meant the restriction of movement of persons or animals who have been exposed to communicable diseases for a period of time equal to the incubation period of the disease to which they have been

exposed.

RULE 2. Reporting cases .- It shall be the duty of every physician in attendance upon a case of reportable disease to report the same immediately to the WYOMING 817

local health officer within whose jurisdiction such case occurs, giving the full name, address, age, sex, color, nationality, occupation, school attended, if any, place of employment, name of employer, number of adults and children in the household, number exposed, source of infection, probable origin, and name of attending physician: *Provided*, That in cases of venereal diseases the name and address of the patient shall be omitted; then the special form required for this

class of diseases must be used in reporting.

Rule 3. Reporting when no physician is in attendance.—Superintendents or persons in charge of hospitals, sanitariums, dispensaries, schools, public, private or parochial, or other institutions, nurses, midwives, teachers, dairy managers, heads of private households, and proprietors and keepers of hospitals, boarding houses, restaurants, lodging houses, or any other person or persons either treating or having knowledge of a reportable disease shall be required to report such disease coming under their observation when no physician is in attendance.

Rule. 4. How they shall report.—All reports of notifiable diseases shall be made immediately after making a diagnosis or suspecting the disease to be one required to be reported upon blank forms furnished by the department of public health for this purpose unless the disease is or [is] suspected to be cholera, diphtheria, plague, smallpox, scarlet fever, yellow fever, or epidemic influenza, then the person making the report shall, in addition to the written report give immediate notice of the case to the local health officer in whose jurisdiction the case occurs in the most expeditious manner available.

RULE 5. If the disease reported is one requiring a placard it shall be the duty of the local health officer to post a notice in some conspicuous place upon the premises occupied by the infected person which shall bear the following in-

scription:

WARNING!

COMMUNICABLE DISEASE WITHIN

No person, other than the health officer, his agent, or the professional attendant, shall enter or leave these premises, nor shall anyone remove, mutilate, or deface this placard, without permission from the health officer.

(Signed)

Health Officer.

Approved by State Board of Health:
W. H. HASSED, M. D., State Health Officer.

Said notice shall be printed on white cardboard or substantial white paper

of a size not less than 12 by 18 inches.

RULE 6. Cases or carriers in dairies.—When a person living on a farm, dairy, or in any other establishment where milk or its products or other foods are handled for sale shall be known or suspected to be infected with or a carrier of a communicable disease, no food shall be sold, delivered, or distributed from such farm, dairy, or other establishment unless authorized in writing by the health officer having jurisdiction; and said health officer shall refuse such authorization unless said case or carrier be under efficient supervision and isolated in such manner as to be completely separated from any other person or persons who may be handling such foods or dairy products.

Dairies delivering milk or milk products to the isolated or quarantined.—No dairies or dairymen shall deliver any milk or milk products to a house, apartment, room, or other building in which anyone is isolated or quarantined for an infectious disease, excepting that it is done in the following manner: The milk deliveryman shall empty the milk or other milk product into a receptacle provided by the tenant, on the outside of the house, room, or apartment, and in no case shall he leave a milk bottle, nor take away any receptacle

from the quarantined residence.

Rule 7. It shall be the duty of all teachers, principals, superintendents, or other persons in charge of any public, private, or parochial school to exclude from such school any pupil suffering from a communicable disease, or a carrier of a communicable disease until such person furnishes a certificate from a licensed physician stating that such infected person or carrier is no longer a

menace to the public health.

RULE 8. Special measures for the control of communicable diseases.—The following rules are prescribed for the guidance of local health officers and other persons in the control of communicable diseases, and they shall, in general, govern said health officers and other persons in the control of each disease, together with the provisions of the preceding regulations.

The items considered necessary with regard to each disease are the following: 1. Infectious agent. 2. Source of infection. 3. Mode of transmission. 4. Incubation period. 5. Period of communicability. 6. Methods of control: (a) The infected individual and his environment: 1. Placard. 2. 3. Quarantine. 4. Immunization. 5. Concurrent disinfection. 6. Terminal dis-(b) General measures.

Actinomycosis.-1. Infectious agent: Actinomyces bovis.

2. Source of infection: The nasal and bowel discharges, and the infected material from lesions in human and animal cases of the disease. meat from infected animals may serve as a source of infection.

3. Mode of transmission: By contact with the discharges or with articles

freshly soiled with the discharges from animal or human cases.

4. Incubation period: Unknown.

5. Period of communicability: As long as open lesions remain, as proved by the presence of the infectious agent on microscopic or cultural tests.

6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

(2) Isolation: None, provided that the patient is under adequate control and instructions are properly carried out; otherwise, he shall be isolated until all discharges have ceased.

(3) Quarantine: None. (4) Immunization: None.

(5) Concurrent disinfection of discharges from lesions and of articles soiled therewith.

(6) Terminal disinfection by thorough cleansing.

(b) General measures—Report by local health officer of infected animals, carcasses, or parts of carcasses to the State veterinarian.

Ancylostomiasis.—1. Infectious agent: Ancylostoma, (necator americanus).
2. Source of infection: Feces of infected persons. Infection generally takes

place through the skin, occasionally by the mouth.

3. Mode of transmission: The larval forms pierce the skin, usually of the foot, and passing through the lymphatics to the vena cava and the right heart, thence in the blood stream to the lungs, they pierce the capillary walls and pass into the alveoli. Then they pass up the bronchi and trachea to the throat, whence they are swallowed and finally lodge in the small intestine. Also by drinking water containing larvae, by eating soiled food, by hand to mouth transmission of the eggs or larvae from objects soiled with infected discharges. The chief reservoir of infectious materials is contaminated soil.

4. Incubation period: Seven to ten weeks.

5. Period of communicability: As long as the parasite or its ova are found in the bowel discharges of an infected individual. Contaminated soil remains infective for five months in the absence of freezing.

6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

(2) Isolation: None. (3) Quarantine: None. (4) Immunization: None.

(5) Concurrent disinfection: Sanitary disposal of bowel discharges to prevent contamination of soil and water.

6. Methods of control: (a) The infected individual and his environment-

(b) General measures

(1) Search for infected persons and their proper treatment.

Sanitary disposal of all human excreta.

(3) Personal cleanliness and the wearing of shoes at all times in infested areas.

Anthrax.-1. Infectious agent: Anthrax bacillus, (bacillus anthracis). 2. Source of infection: Hair, hides, flesh, and feces of infected animals.

3. Mode of transmission: Innoculation as by accidental wound or scratch, inhalation of spores of the infectious agent, and ingestion of insufficiently cooked

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4. Incubation period: Within seven days.

5. Period of communicability: During the febrile stage of the disease, and until lesions have ceased discharging. Infected hair and hides of infected animals may communicate the disease for many months after the slaughter of the animal, and after curing of hide, fur, or hair, unless disinfected.

6. Method of control: (a) The infected individual and his environment-

(1) No placard.

(2) Isolation of the infected individual until the lesions have healed.

(3) Quarantine: None.

(4) Immunization: None. (5) Concurrent disinfection of the discharges from the lesions and of articles soiled therewith.

(6) Terminal disinfection: Thorough cleansing.

(b) General measures—Report by local health officer of infected animals, carcasses, or parts of carcasses to the State veterinary surgeon.

Botulism .- 1. Infectious agent: Clostridium botulinum.

2. Source of infection: Home-canned vegetables and meats, usually canned beans, asparagus, olives, coru, sausage.

3. Mode of transmission: By eating food contaminated by the toxin of botulinus formed by bacillus or spores in home-canned foods.

4. Incubation period: Eighteen to thirty-six hours.

5. Methods of control: (a) The infected individual and his environment—

(1) No placard.(2) Isolation: None.

(3) Quarantine: None.

(4) Immunization in exposed cases by large doses of prevalent botulism antitoxin used intravenously.

(b) General measures—Greater care in preserving and handling nitrogenous foodstuffs. Heat must be at least 120° C. for 10 minutes and must penetrate throughout the mass; also the cooking must be recent, for the spores develop well in cooked food.

Chancroid.—6. Methods of control: (a) The infected individual and his environment-

(1) No placard: Only when necessary, when patient is refusing treatment and violating instructions of attendant or health officer.

(2) Isolation: None. (3) Quarantine: None.

(4) Immunization: None. (5) Concurrent disinfection: The patient shall be instructed by his physician in the measures necessary to protect the public.

(6) Terminal disinfection: None.

(b) General measures-The local health officer shall furnish every physician reporting a case of chancroid with a copy of the written instructions provided by the State department of health, which shall be given by the physician to the infected person. Physicians should be instructed to refer all cases not able to afford the expense of a complete cure to the nearest free venereal-disease clinic or to county health officer or county physician.

Chicken pox.—1. Infectious agent: Unknown.
2. Source of infection: The infectious agent is presumably present in the lesions of the skin and of the mucous membranes; the latter appearing early and rupturing as soon as they appear render the disease communicable early; that is, before the exanthem is in evidence.

3. Mode of transmission: Directly from person to person; indirectly through articles freshly soiled by discharges from an infected individual.

4. Incubation period: Two to three weeks.

5. Period of communicability: Until the primary scabs have disappeared from the mucous membranes and the skin. 6. Methods of control: (a) The infected individual and his environment—

(1) Placard required.

(2) Isolation: Exclusion of the infected person from school and prevention of contact with nonimmune persons until desquamation is complete.

(3) Quarantine: None. (4) Immunization: None.

(5) Concurrent disinfection of discharges from the nose, throat, and lesions, and of articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

(b) General measures.—The chief public health importance of this disease is that cases thought to be chicken pox in persons over 15 years of age, or at any age during an epidemic of smallpox, are to be investigated to eliminate the possibility of their being smallpox.

Cholera .- 1. Infectious agent: Cholera vibrio, (vibrio comma).

2. Source of infection: Bowel discharges and vomitus of infected persons, and feces of convalescent or healthy carriers. Many contacts may be found to be carriers.

3. Mode of transmission: By food and water polluted by infectious agent; by contact with infected persons, carriers, or articles freshly soiled by their discharges; by flies.

4. Incubation period: One to five, usually three days, occasionally longer if

the healthy carrier stage before development of symptoms is included.

5. Period of communicability: Usually 7 to 14 days or longer and until the infectious organism is absent from the bowel discharges.

6. Methods of control: (a) The infected individual and his environment-

(1) Placard.

(2) Isolation of patient in hospital or screened room.

(3) Quarantine: Contacts for five days from last exposure, or longer if stools are found to contain the cholera vibrio.

(4) Immunization by vaccination may be of value.

(5) Concurrent disinfection: Prompt and thorough disinfection of the stools and vomited matter. Articles used by and in connection with the patient must be disinfected before removal from the room. Food left by the patient should be burned.

(6) Terminal disinfection: Bodies of those dying from cholera should be cremated if practicable, or, otherwise, wrapped in a sheet with wet disinfectant solution and placed in water-tight caskets. The room in which a sick patient was isolated should be thoroughly cleaned and disinfected.

(b) General measures-

(1) Rigid personal prophylaxis of attendants by scrupulous cleanliness, disinfection of hands each time after handling patient or touching articles contaminated by dejecta, the avoidance of eating or drinking anything in the room of the patient, and the prohibition of those attendant on the sick from entering the kitchen.

(2) The bacteriological examination of the stools of all contacts to determine

carriers. Isolation of carriers.

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(3) Water should be boiled, if used for drinking or toilet purposes, or if used in washing dishes or food containers, unless the water supply is adequately protected against contamination or is so treated, as by chlorination, that the cholera vibrio can not survive in it.

(4) Careful supervision of food and drink. Where cholera is prevalent only cooked foods should be used. Food and drink after cooking or boiling should

be protected against contamination, as by flies and human handling.

Conjunctivitis (acute infectious).—1. Infectious agent: The gonococcus or some member of a group of pyogenic organisms, including the hemoglobinophilic bacilli.

Source of infection: Discharges from conjunctivae, or adnexa, or genital mucous membranes of infected persons.

3. Mode of transmission: Contact with an infected person or with articles

freshly soiled with discharges of such person.

4. Incubation period: Irregular, but usually 36 to 48 hours.

5. Period of communicability: During the course of the disease and until the discharges from the infected mucous membranes have ceased.

6. Methods of control: (a) The infected individual and his environment—

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(1) No placard.

(2) Isolation: None, provided the patient is under adequate medical supervision. If not, exclusion from school until discharges have ceased.

(3) Quarantine: None.

(4) Immunization: None.

(5) Concurrent disinfection: Disinfection of conjunctival discharges and articles soiled therewith.

(6) Terminal disinfection: Thorough cleansing.

(b) General measures.—(1) Enforcement of regulations forbidding the useof common towels and toilet articles.

(2) Use of silver nitrate or argyrol in the eyes of the newborn.

Dengue .- 1. Infections agent: Unknown.

2. Source of infection: The blood of infected persons.

3. Mode of transmission: By the bite of infected mosquitos, (aedes aegypti).

4. Incubation period: Three to ten days.

- 5. Period of communicability: From the day before onset to the fifth day of the disease.
 - 6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

(2) Isolation: The patient must be kept in a screened room.

(3) Quarantine: None.

(4) Immunization: None.

(5) Concurrent disinfection: None.

(6) Terminal disinfection: None. Upon termination of the case, fumigation of the room and house to destroy mosquitoes.

(b) General measures.—Measures directed toward elimination of mosquitoes

(aedes aegypti). Screening of rooms.

Diphtheria. 1. Infectious agent: Diphtheria bacillus (corynebacterium diph-

theriae), the Klebs-Loeffler bacillus.

- 2. Source of infection: Discharges from diphtheritic lesions of nose, throat, conjunctiva, vagina, and wound surfaces. Secretions from the nose and throat of carriers of the bacillus.
- 3. Mode of transmission: Directly by personal contact, indirectly by articles freshly soiled with discharges, or through infected milk or milk products.

4. Incubation period: Usually two to five days, occasionally longer if a healthy

carrier stage precedes the development of clinical symptoms.

5. Period of communicability: Until virulent bacilli have disappeared from the secretions and the lesions. The persistence of the bacilli after the lesions have healed is variable. In fully three-fourths of the cases they disappear within two weeks. In most cases the bacilli disappear in four weeks. exceptional cases virulent bacilli remain in the throat and discharges for from two to six months.

6. Methods of control—(a) The infected individual and his environment—(1) Placard required: Recognition of the disease by clinical symptoms with

confirmation by bacteriological examination of discharges.

(2) Isolation: Until two cultures from the throat and two from the nose, taken not less than 24 hours apart, fail to show the presence of diphtheria bacilli. Isolation may be terminated if persistent diphtheria bacilli prove avirulent. Where termination by culture is impracticable, cases may be terminated with fair safety as a rule 16 days after onset of the disease.

(3) Quarantine: All exposed persons until shown by bacteriological examina-

tion not to be carriers.

(4) Immunization: Exposed susceptibles to be properly immunized by antitoxin. (By susceptibles is meant such individuals as are found to be nonimmune by the Schick test-i. e., those who give a positive reaction.)

(5) Concurrent disinfection of all articles which have been in contact with

the patient and all articles soiled by discharges from the patient.

(6) Terminal disinfectant: At the end of the illness, through airing and sunning of the sick room, with cleaning or renovation.

(b) General measures—
(1) Pasteurization of the milk supply.
(2) Application of the Schick test to all contacts and immunization of all susceptibles.

(3) Application of the Schick test to all children.

(4) Immunization by toxin-antitoxin inoculation of all susceptibles.

(5) Determination of presence or absence of carriers among contacts and, so far as practicable, in the community at large.

Dysentery, (amæbic).-1. Infectious agent: (Endamoeba histolytica.) 2. Source of infection: The bowel discharges of infected persons.

3. Mode of transmission: By drinking contaminated water, and by eating infected foods, and by hand-to-mouth transfer of infected material; from objects soiled with discharges of an infected individual or of a carrier; by flies.

4. Incubation period: Unknown.

5. Period of communicability: During course of disease and until repeated microscopic examination of stools shows absence of Amæba histolytica. 6. Methods of control—(a) The infected individual and his environment—

(1) No placard.

(2) Isolation: None, provided that the infected person is under adequate medical supervision.

(3) Quarantine: None.

(4) Immunization: None.

(5) Concurrent disinfection of the bowel discharges and of articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

(b) General measures-

- (1) Boil drinking water unless the supply is known to be free from contamination.
- (2) Supervision and control of water and sewage disposal; supervision of food supplies, especially over foods eaten raw.

 Dysentery, (bacillary).—1. Infectious agent: Dysentery bacillus (Erberthella

dysenteriæ, Erberthella para dysenteriæ).

2. Source of infection: The bowel discharges of infected persons.

3. Mode of transmission: By drinking contaminated water, by eating infected foods, and by hand-to-mouth transfer of infected material; from objects soiled with discharges of an infected individual or of a carrier; by flies.

4. Incubation period: Two to seven days.

5. Period of communicability: During the febrile period of the disease and until the organism is absent from the bowel discharges. 6. Methods of control—(a) The infected individual and his environment—

(1) No placard.

(2) Isolation of the infected person or carrier as long as the infectious organism is found in the stools, provided that where laboratory facilities are not available the patient shall be isolated for not less than 15 days from the date of onset.

(3) Quarantine: None.

(4) Immunization: Vaccination may be offered.

(5) Concurrent disinfection of the bowel discharges and of articles soiled therewith.

(6) Terminal disinfection. Thorough cleaning.

(b) General measures

(1) Rigid personal prophylaxis of attendants of infected persons, and prohibition of the handling of food, for persons other than the patient, by the attendant.

(2) Supervision and control of water, milk, and food supplies.(3) Proper sewage disposal and destruction of flies.

Encephalitis, (lethargic epidemic).—1. Infectious agent: Unknown.
2. Source of infection: Probably discharges from the nose and throat of infected persons, or articles freshly soiled therewith. It is supposed that there are healthy carriers during prevalence of the disease.

3. Mode of transmission: Probably by direct contact with an infected person

or a carrier of the virus, or by contact with articles freshly soiled with the dis-

charges of the nose or throat of such persons.

- Incubation period: Undetermined. Believed to be about 10 days. 5. Period of communicability: Probably during the febrile stage of the disease.
 - 6. Methods of control: (a) The infected individual and his environment—

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(1) No placard.

(2) Isolation of recognized cases for one week after onset.

(3) Quarantine: None.

(4) Immunization: None.

(5) Concurrent disinfection: Discharges of the nose and throat and articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

Erysipelas.—6. Methods of control: (a) The infected individual and his environment-

(1) No placard.

(2) Isolation until the process is ended.

(3) Immunization: None.

(4) Quarantine: None.

(5) Concurrent disinfection: All contaminated articles must be boiled or disinfected.

(6) Terminal disinfection: Thorough cleaning and airing of room and its contents.

(b) General measures—(1) Physicians in attendance upon a case of erysipelas should abstain from obstetrical service.

Favus.-1. Infectious agent: (Achorion schoenleinii).

2. Source of infection: Lesions of skin, particularly on scalp.

3. Mode of transmission: Direct contact with patient, and indirectly through tollet articles.

4. Incubation period: Unknown.

5. Period of communicability: Until skin and scalp lesions are all healed.6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

(2) Isolation: Exclusion from school and other public places until the lesions have healed.

(3) Quarantine: None.(4) Immunization: None.

(5) Concurrent disinfection of the toilet articles of patient.

(6) Terminal disinfection: None.

(b) General measures—Instruction to contacts in personal cleanliness and advice to the infected person as to the necessity for adequate and intensive treatment at a proper institution in order to abbreviate the period of communicability. Warning of children against the practice of wearing other persons' hats, and the use of common utensils, such as hair brushes and combs.

German measles, (rubella).-1, Infectious agent: Unknown.

Source of infection: Secretions of the mouth and possibly of the nose.
 Mode of transmission: By direct contact with the patient or with articles freshly soiled with the discharges from the nose or throat of the patient.

4. Incubation period: From 14 to 21 days.

- 5. Period of communicability: Eight days from onset of the disease.
- 6. Methods of control: (a) The infected individual and his environment—

(1) Placard required.

(2) Isolation: Exclusion of the infected person from school and from other public places, and from contact with nonimmune persons, for eight days from date of onset.

(3) Quarantine: None.(4) Immunization: None.

(5) Concurrent disinfection of the discharges from the nose and throat, and of articles soiled therewith.

(6) Terminal disinfection: Airing and cleaning.

Note.—The reason for attempting to control this disease is that it may be confused with scarlet fever during its early stages; each person having symptoms of the disease should therefore be placed under the care of a physician and the case should be reported to the local health officer.

Glanders.-1. Infectious agent: Glanders bacillus, (pfefferella mallei).

2. Source of infection: Discharges from open lesions of mucous membranes, or of the skin of human or equine cases of the disease, (i. e., pus and mucus from the nose, throat, and bowel discharges from infected man and horse).

3. Mode of transmission: Contact with a case or with articles freshly soiled

by discharges from a human or equine case.

4. Incubation period: Unknown.

- Period of communicability: Until bacilli disappear from discharges or until lesions have healed.
 - 6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

(2) Isolation of the infected person during the clinical course of the disease and until discharges have ceased. Skin contact with the lesions in the living or dead body is to be scrupulously avoided.

(3) Quarantine: None.

(4) Immunization: None of established value.

(5) Concurrent disinfection of the discharges, and of articles soiled therewith.(6) Terminal disinfection: Stables and contents where infected horses are

found.

(b) General measures—Report by local health officer of infected animals, carcasses or parts of carcasses to the State veterinarian.

Gonorrhea.—1. Infectious agent: Gonococcus, (neisseria gonorrhoeae).

2. Source of infection: Discharges from lesions of inflamed mucous membranes and glands of infected persons, viz, urethral, vaginal, cervical, conjunctival mucous membranes, and Bartholin's or Skene's glands in the female, and Cowper's and prostate glands in the male.

3. Mode of transmission: By direct personal contact with infected persons, and indirectly by contact with articles freshly soiled with the discharges of

such persons.

4. Incubation period: One to eight days, usually three to five days.

- 5. Period of communicability: As long as the gonococcus persists in any of the discharges, whether the infection be an old or a recent one.
- Methods of control: (a) The infected individual and his environment—
 No placard, except when patient violates directions of health officer and professional attendant.
- (2) Isolation. When the lesions are conjunctival, exclusion from school or contact with children, as long as the discharges contain the infecting organism.
 - (3) Quarantine: None.(4) Immunization: None.
- (5) Concurrent disinfection: Discharges from lesions and articles soiled therewith,
 - (6) Terminal disinfection: None.
- (b) General measures.—The local health officer shall furnish every physician reporting a case of gonococcus infection with a copy of the written instructions provided by the State department of health, which shall be given by the physician to the infected person. Physicians should be instructed to refer all cases not able to afford the expense of a complete cure to the nearest free venereal disease clinic or to county health officer.
 - Influenza.-1. Infectious agent: Undetermined.
- 2. Source of infection: Probably discharges from the mouth and nose of infected persons and articles freshly soiled with such discharges.
- 3. Mode of transmission: Believed to be by direct contact, by droplet infection, or by articles freshly soiled with discharges of the nose and throat of infected persons.
 - 4. Incubation period: Short, usually 24 to 72 hours.
- 5. Period of communicability: Undetermined, apparently during the febrile period or at least for seven days from onset of clinical symptoms.
 - 6. Methods of control: (a) The infected individual and his environment—
 - (1) Placard required.
- (2) Isolation of the infected person during the acute catarrhal stage or a complicating pneumonia, until the temperature has remained normal for five days.
 - (3) Quarantine: None.(4) Immunization: None.
- (5) Concurrent disinfection: Discharges from the nose and throat of the patient, and of articles soiled therewith.
 - (6) Terminal disinfection: Airing and cleaning.
- (b) General measures—Education of the public in personal cleanliness; in the dangers of overcrowding in public gatherings or conveyances and at home; as to the dangers of using common cups, spoons, and forks; and in the necessity of avoiding contact with persons having coughs and colds.
 - Leprosy.—1. Infectious agent: Leprosy bacillus, (mycobacterium leprae).
 - 2. Source of infection: Discharges from lesions.
- 3. Mode of transmission: By close, intimate, and prolonged contact with infected individuals. Flies and other insects may be mechanical carriers.
 - 4. Incubation period: Prolonged, undetermined.
- 5. Period of communicability: Infectivity exists throughout the duration of the disease. Where good standards of personal hygiene prevail, this disease is but slightly communicable.
 - 6. Methods of control: (a) The infected individual and his environment-
 - (1) Placard required.
- (2) Isolation for life in national leprosarium when this is possible, or at least until treatment has brought about a healing of all lesions of skin and mucous membranes and the patient has been observed with the disease in this arrested form for not less than six months.

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- (3) Quarantine: None.
- (4) Immunization: None.
- (5) Concurrent disinfection of discharges from the lesions and of articles soiled therewith.
- (6) Terminal disinfection: Thorough cleansing of living premises of the patient.
- (b) General measures—Education of the public, and of persons exposed, in
- Malaria.—1. Infectious agent: The several species of malaria organisms, (Plasmodium vivaxtertian, Plasmodium malariae-quartan, Laverania falciparum-aestivo-autumnal).

2. Source of infection: The blood of an infected individual.

3. Mode of transmission: By bite of the infected Anopheles mosquitoes.

The mosquito is infected by biting an individual suffering from acute or chronic malaria. The parasite develops in the body of the mosquito for from 10 to 14 days, after which time the sporozoites appear in its salivary glands.

4. Incubation period: Varies with the type of species of infecting organism

and the amount of infection; usually 14 days in the tertian variety.

5. Period of communicability: As long as the malaria organism exists in the blood.

6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

(2) Isolation: Exclusion of the infected person from the approach of mosquitoes until his blood is free from the malarial parasites.

(3) Quarantine: None.(4) Immunization: The administration of prophylactic doses of quinine

should be insisted upon for those constantly exposed to infection.

(5) Concurrent disinfection: Destruction of mosquitoes that may enter

the sick room.

(6) Terminal disinfection: None.

(b) General measures

(1) Employment of known measures for the destruction of the larvae of, and prevention of breeding of, Anopheline mosquitoes, where such are prevalent.

(2) Blood examination of persons living in infected centers to determine

the incidence of infection,

(3) Screening sleeping and living quarters; use of mosquito nets.

(4) Destruction of mosquitoes in living quarters.

Malta fever.-1. Infectious agent: (Micrococcus melitensis, Brucella meli-

tensis. Alkaligenes melitensis, Alkaligenes abortus.)

2. Source of infection: The milk and urine of infected goats, and the urine, blood, and milk of other infected domestic animals, mules, asses, horses, cows, oxen, hogs, sheep, rabbits, dogs, and fowls; the urine of infected persons and

of carriers of the organism.

3. Mode of transmission: By ingestion of milk from infected goats commonly; by direct contact with infected animals and persons and their urinary discharges in ways to permit the contamination of food and hands, occasionally; by inhalation of dust from soil or surfaces contaminated with urinary discharges of infected animals or persons, rarely; possibly by inoculation through abrasions of the skin by contaminated dust or soil, and by sexual intercourse with infected persons, and rarely by ingestion of infected cow's milk or by contact with infected blood or organs of domestic animals.

4. Incubation period: 6 to 16 days.

5. Period of communicability: From the onset of the disease until the organism is no longer found in the urine, usually 90 days, with a range of 20 to 300 days.

6. Methods of control: (a) The infected individual and his environment—

(1) Placard required.

(2) Isolation of infected individuals during the period of communicability.

(3) Quarantine: None.

(4) Immunization: Preventive vaccination by suspensions of mixtures of the Micrococcus melitensis and Micrococcus paramelitensis have given good results. This is advised for exposed susceptibles, especially those handling goats in areas where the disease is known to exist.

(5) Concurrent disinfection of all discharges, especially the urine and of

articles soiled with such discharges.

(6) Terminal disinfection: Cleaning.

(b) General measures.—Sterilization of goats' milk; protection of public water supplies; supervision of human carriers and their exclusion from the handling of foods; destruction of infected animals.

Measles.—1. Infectious agent: Unknown.
2. Source of infection: Buccal and nasal secretions of an infected individual. 3. Mode of transmission: Directly from person to person; indirectly through articles freshly soiled with the buccal and nasal discharges of an infected individual. The most easily transmitted of all communicable diseases.

4. Incubation period: About 10 days.

5. Period of communicability: During the period of catarrhal symptoms and until the cessation of abnormal mucous membrane secretions—minimum period of nine days; from four days before to five days after the appearance of the rash.

6. Methods of control: (a) The infected individual and his environment-

(1) Placard required.

(2) Isolation: During period of communicability.

(3) Quarantine: Exclusion of nonimmune contacts from school and other public gatherings, and from contact with children, for 14 days from date of last

exposure.

(4) Immunization: By the use of the serum or whole blood of convalescent measles patients, or of any healthy adults who have had measles, given within five days after exposure to a known case of measles, the attack in the exposed person may be averted in a high percentage of instances; if not averted, the disease is modified. Given later, but at a time prior to the clinical onset of the disease, convalescent serum usually modifies the severity of the attack and the patient acquires the usual lasting immunity of the disease.

(5) Concurrent disinfection of discharges from the nose and throat, and

of articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

(b) General measures-

(1) Education of the public as to the dangers of exposing children to those

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exhibiting catarrhal symptoms of any kind.

(2) Daily examination of school children, when disease is prevalent, and exclusion of any child exhibiting a rise of temperature of 0.5° C., or suspicious catarrhal symptoms, or any eruption on the palate or buccal membranes.

(3) The board of health is of the opinion that after the appearance of the rash all the damage of spreading measles has been done, and if professional attendants and health officers would advise and perform routine physical examination of contacts at about 10 days after exposure, and where examination shows that the catarrhal symptoms are beginning, then such contacts should be isolated prior to eruption.

Meningococcus meningitis.—1. Infectious agent: Meningococcus, (Neisseria

intracellularis)

2. Source of infection: Discharges from the nose and mouth of infected persons; clinically recovered cases, and healthy persons who have never had the disease but have been in contact with cases of the disease or other carriers, act as carriers and are commonly found, especially during epidemics. Such healthy carriers are not uncommonly found independent of epidemic prevalence of the disease.

3. Mode of transmission: By direct contact with infected persons and carriers, and indirectly by contact with articles freshly soiled with the nasal and

mouth discharges of such persons.

4. Incubation period: Two to ten days, commonly seven. Occasionally for longer periods, when a person is a carrier for a time before developing the disease

5. Period of communicability: During the clinical course of the disease and until the specific organism is no longer present in the nasal and mouth discharges of the patient. The same applies to healthy carriers so far as affects persistence of infectious discharges.

6. Methods of control: (a) The infected individual and his environment—

(1) Placard required.

(2) Isolation of the infected person or carrier until the nasopharynx is free from the infectious agent as demonstrated by laboratory test, where such facilities are available, or for two weeks from date of onset, or until the temperature has been normal for one week.

(3) Quarantine of contacts until demonstrated not to be carriers, where laboratory facilities are available, or for 10 days from date of last exposure.

(4) Immunization: None.

(5) Concurrent disinfection of discharges from the nose and mouth and of articles soiled therewith.

(6) Terminal disinfection: Cleaning.

(b) General measures-

(1) Search for carriers among families and associates of recognized cases by bacteriological examination of posterior nares of all contacts.

(2) Education of the public as to personal cleanliness, the necessity of avoiding overcrowding in living quarters, public conveyances, working establishments, and places of public assembly, and as to the necessity of adequate ventilation.

Mumps.-1. Infectious agent: Unknown.

- 2. Sourse of infection: Secretions of the mouth and possibly of the nose.
- 3. Mode of transmission: By direct contact with an infected person or with articles freshly soiled with the discharges from the nose or throat of such infected person.
- 4. Incubation period: From 12 to 26 days. The most common period, 18

days, accepted as usual. A period of 21 days is not uncommon.

5. Period of communicability: Unknown, but assumed to persist until the parotid gland has returned to its normal size.

6. Methods of control: (a) The infected individual and his environment—

(1) Placard required. (2) Isolation: Separation of the patient from nonimmune children and exclusion of the patient from school and other public places for the period of

presumed infectivity. (See 5.)
(3) Quarantine: None. Exposed susceptible persons should be regularly inspected for the onset, the presence of initial symptoms of the disease, such as fever, or swelling or pain of the parotid or adjacent lymph glands, for three weeks from the date of last exposure.

(4) Immunization: None.

(5) Concurrent disinfection: All articles soiled with the discharges from the nose and throat of the patient.

(6) Terminal disinfection: Thorough cleaning.

(b) General measures: None.

Paratyphoid fever.-1. Infectious agent: Paratyphoid bacillus A or B,

(Salmonella paratyphi, Salmonella schottmulleri).

2. Source of infection: Bowel discharges and urine of infected persons, and foods contaminated with such discharges of infected persons or of healthy carriers may be numerous in an outbreak.

3. Mode of transmission: Directly by personal contact; indirectly by contact with articles freshly soiled with the discharges of infected persons or through milk, water, or food contaminated by such discharges.

4. Incubation period: Four to ten days; average, seven days.

- 5. Period of communicability: From the appearance of prodromal symptoms, throughout the illness and relapse, during convalescense, and until repeated bacteriological examination of discharges show absence of the infecting organism.
 - 6. Methods of control: (a) The infected individual and his environment—

(1) Placard required.

(2) Isolation in fly-proof room, preferably under hospital conditions, of such cases as can not command adequate sanitary environment and nursing care in their homes.

(3) Quarantine: None.

(4) Immunization of exposed susceptibles.

(5) Concurrent disinfection: Disinfection of all bowel and urinary discharges and articles soiled with them.

(6) Terminal disinfection: Cleaning.

(b) General measures

(1) Protection and purification of public water supplies.

(2) Supervision of milk and food supplies and of food handlers.

(3) Sanitary disposal of human excreta and prevention of fly breeding.

(4) Extension of immunization by vaccination as far as possible.

(5) Search for carriers among exposed persons by examination of stools and urine. (6) Supervision of paratyphoid carriers and their exclusion from the handling

of foods.

(7) Prohibition of any person infected with or living in a family where there exists typhoid fever from engaging in any occupation in connection with a dairy or with the handling of milk, cream, ice cream, or other food products; or from serving as cook, waiter, or otherwise in any hotel, restaurant, or boarding house; or in any hospital, sanatorium, or other institution wherein the performance of his duties he either handles or comes in contact with food or drink for others.

Note.—The human disease, paratyphoid fever, should not be confused with cases of food poisoning or infection due to enteritidis bacilli of animal origin.

Plague (bubonic, septicemic, pneumonic).—1. Infectious agent: Plague bacillus (Pasteurella pestis).

2. Source of infection: Blood of infected persons and animals, and sputum of

human cases of plague pneumonia.

3. Mode of transmission: Direct, in the pneumonic form. In other forms the disease is generally transmitted by the bites of fleas, (Xenopsylla cheopis and Ceratophyllus fasciatus), by which the disease is carried from rats to man; also by fleas from other rodents. Accidental, by inoculation, or by the bites of infected animals. Bedbugs may transmit the infection; flies may possibly convey the infection.

4. Incubation period: Commonly from 3 to 7 days, although occasionally pro

longed to 8 or even 14 days.

5. Period of communicability: Until convalescence is well established; period undetermined.

6. Methods of control: (a) The infected individual and his environment-

(1) Placard required.

- (2) Isolation of the infected individual, in a hospital if practicable, during the clinical course of the disease and until all discharges have ceased.
- (3) Quarantine of those in contact with pneumonic cases for seven days from date of last exposure.

(4) Active immunization of those who may be exposed may be offered.

- (5) Concurrent disinfection: All discharges and articles freshly soiled there with.
- (6) Terminal disinfection: Thorough cleaning followed by thorough disinfection.

(b) General measures-

- Fumigation with sulphur or cyanide gas for the destruction of fleas and rats.
- (2) Extermination of rats and vermin in infected districts by known methods for their destruction. Extermination of rats, ground squirrels, etc., in areas where the infection persists, for evidence of endemic or epidemic prevalence of the disease among them.

(3) Supervision of autopsies of all deaths during epidemics.(4) Supervision of the disposal of the dead during epidemics.

(5) Cremation, or burial in quicklime, of those dying of this disease.

Pneumonia (acute lobar).—1. Infectious agent: Various pathogenic bacteria commonly found in the nose, throat, and mouth, such as the pneumococcus, the bacillus of Friedlander. the influenza bacillus, etc.

2. Source of infection: Discharges from the mouth and nose of apparently healthy carriers, as well as of recognized infected individuals, and articles

freshly soiled with such discharges.

3. Mode of transmission: By direct contact with an infected person, or with articles freshly soiled with the discharges from the nose or throat of, and possibly from infected dust of rooms occupied by, infected persons.

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4. Incubation period: Short, usually two to three days.

5. Period of communicability: Unknown; presumably until the mouth and nasal discharges no longer carry the infectious agent in an abundant amount or in virulent form.

6. Methods of control: (a) The infected individual and his environment-

Placard required.

(2) Isolation of the infected person during the clinical course of the disease,

(3) Quarantine: None.(4) Immunization: None.

(5) Concurrent disinfection of discharges from the nose and throat and of articles soiled therewith.

(6) Terminal disinfection: Thorough airing and cleaning.

(b) General measures—Education of the public in the need of avoiding overcrowding, especially in living quarters, and for keeping up the general resistance of the body by good feeding, temperance in the use of alcoholic beverages, avoiding unnecessary exposure, and practicing other hygienic measures.

Note.—The early reporting of pneumonia is highly desirable in view of its

communicability.

Poliomyelitis (acute infectious).—1. Infectious agent: A filterable virus of undetermined morphology.

- 2. Source of infection: Nose, throat, and bowel discharges of infected persons or articles recently soiled therewith. Healthy carriers are supposed to be
- 3. Mode of transmission: By direct contact with an infected person or with a carrier of the virus, or indirectly by contact with articles freshly soiled with the nose, throat, or bowel discharges of such persons, and probably by drinking milk contaminated by the nose, mouth, and bowel discharges of persons in the active stage of the disease.

4. Incubation period: Uncertain because of inexact information as to period of communicability and essentials for exposure, but believed to be from 3 to 10 days, commonly 6 days.

5. Period of communicability: Unknown; apparently not more than 21 days from the onset of the disease, but may precede onset of clinical symptoms by several days.

6. Methods of control: (a) The infected individual and his environment-

(1) Placard required.

(2) Isolation of all recognized cases for three weeks from febrile onset,

(3) Quarantine of exposed children of the household and of adults of the household whose vocation brings them into contact with children, or who are food handlers, for 14 days from last exposure to a recognized case.

(4) Immunization: None.

(5) Concurrent disinfection: Nose, throat, and bowel discharges and articles soiled therewith.

(6) Terminal disinfection: Cleaning.

(b) General measures during epidemics-

(1) Search for and examination of all sick children should be made.

(2) All children with fever should be isolated pending diagnosis.(3) Education in such technique of bedside nursing as will prevent the distribution of infectious discharges to others from cases isolated at home.

Rabies.-1. Infectious agent: Unknown. 2. Source of infection: Saliva of infected animals, chiefly dogs.

3. Mode of transmission: Inoculation with saliva of infected animals through abrasion of skin or mucous membrane, almost always by bites or scratches.

4. Incubation period: Uusually two to six weeks; may be prolonged to six

months or even longer.

- 5. Period of communicability: For 15 days in the dog, (not known in man), before the onset of clinical symptoms and throughout the clinical course of the
 - 6. Methods of control: (a) The infected individual and his environment-(1) Placard required.
- (2) Isolation: None if patient is under adequate medical supervision, and the immediate attendants are warned of possibility of inoculation by human virus.

(3) Quarantine: None.

(4) Immunization: Preventive vaccination, (Pasteur treatment), after exposure to infection by inoculation.

(5) Concurrent disinfection of saliva of patient and articles soiled therewith.

(6) Terminal disinfection: Thorough cleaning.

(b) General measures-

(1) Muzzling of dogs when on public streets, or in places to which the public has access.

(2) Detention and examination of dogs suspected of having rabies.

(3) Immediate antirabic treatment of people bitten by dogs or by other animals suspected or known to have rabies, unless the animal is proved not to be rabid by subsequent observation or by microscopic examination of the brain and cord

(4) Annual immunization of dogs where the disease is prevalent.

Rocky Mountain spotted or tick fever .- 1. Infectious agent: Unknown. 2. Source of infection: Blood of infected animals, and infected ticks, (dermacentor species).

3. Mode of transmission: By bites of infected ticks.

4. Incubation period: 3 to 10 days, usually 7 days. 5. Period of communicability: Has not been definitely determined, probably during the febrile stage of the disease.

6. Methods of control: (a) The infected individual and his environment—

(1) No placard.

- (2) Isolation: None, other than care exercised to protect patients from tick bites when in endemic areas.
 - (3) Quarantine: None.
- (4) Immunization: The use of the Spencer-Parker vaccine in infected areas has given generally favorable results, but is still in the experimental stage.
- (5) Concurrent disinfection: None; all ticks on the patient should be destroyed.
 - (6) Terminal disinfection: None.
 - (b) General measures
- (1) Personal prophylaxis of persons entering the infected zones during the season of ticks, by wearing tick-proof clothing, and careful daily search of the body for ticks which may have attached themselves.
- (2) The destruction of ticks by clearing and burning vegetation on the land
- in infected zones.
- (3) The destruction of ticks on domestic animals by dipping, and the pasturing of sheep on tick-infested areas where the disease is prevalent with the object of diminishing the number of ticks.
- (4) The destruction of small mammalian hosts, as ground squirrels, chipmunks, etc.
 - Scarlet fever.-1. Infectious agent: Streptococcus scarlatinae.
- 2. Source of infection: Discharges from the nose, throat, ears, abscesses or wound surfaces, and articles freshly soiled therewith. The nose and throat discharges of carriers may also spread the disease.
- 3. Mode of transmission: Directly by personal contact with an infected person; indirectly by articles freshly soiled with discharges of an infected person, or through contaminated milk, or milk products.
 4. Incubation period: 2 to 7 days, usually 3 or 4 days.
- 5. Period of communicability: 3 weeks from the onset of the disease, without regard to the stage or extent of desquamation, and only after all abnormal discharges have ceased and all open sores or wounds have healed.

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- 6. Methods of control: (a) The infected individual and his environment-
- (1) Placard required.
- (2) Isolation in home or hospital, maintained in each case until the end of the period of infectivity. If medical inspection is not available, isolation for 28 days from onset.
- (3) Quarantine: Exclusion of exposed children and teachers from school, and food handlers from their work, until seven days have elapsed since last exposure to a recognized case.
- (4) Immunization: Exposed susceptibles as determined by the Dick test may be actively immunized by scarlet-fever toxin.
- (5) Concurrent disinfection: Of all articles which have been in contact with a patient and all articles soiled with discharges of the patient.
 - (6) Terminal disinfection: Thorough cleaning.
 - (b) General measures
- (1) Daily examination of exposed children and of other possibly exposed persons for a week after last exposure.
- (2) Schools should not be closed where daily observation of the children by a physician or nurse can be provided for.
- (3) In school and institutional outbreaks immunization of all exposed children with scarlet-fever toxin may be advisable.
- (4) Education as to special danger of exposing children to those exhibiting acute catarrhal symptoms of any kind.
 - (5) Pasteurization of milk supply.
- Note.—Desquamation is not to be regarded as a criterion of infectivity. In the light of present knowledge it is believed that the scales resulting from desquamation of the skin are dangerous only by becoming infected from contact with secretions and discharges mentioned above. Attention is called to the fact that some of the most extensive epidemics known have been caused by the dissemination of the infection through dairies.
 - Septic sore throat.—1. Infectious agent: Streptococcus (hemolytic type).
- 2. Source of infection: The human nasopharynx, usually the tonsils, any case of acute streptococcus inflammation of these structures being a potential source of infection, including the period of convalescence of such cases. The udder of a cow infected by the milker is a common source of infection. In such udders the physical signs of mastitis may be absent. (Mastitis in the cow, due to bovine streptococci, is not a cause of septic sore throat in humans unless a secondary infection of the udder by a human type of streptococcus takes place.)

3. Mode of transmission: Direct or indirect human contact; consumption of raw milk contaminated by case or carrier or from an infected udder.

4. Incubation period: 1 to 3 days.

5. Period of communicability: In man, pre umably during the continuance of clinical symptoms; in the cow, during the continuance of discharge of the streptococci in the milk, the condition in the udder tending to a spontaneous subsidence. The carrier stage may follow convalesence and persist for some time

6. Methods of control: (a) The infected individual and his environment-

(1) Placard required.

(2) Isolation during the clinical course of the disease and convalesence, and particularly exclusion of the patient from participation in the production or handling of milk or milk products.

(3) Quarantine: None.

(4) Immunization: None.
 (5) Concurrent disinfection: Articles soiled with discharges from the nose and throat of the patient.

(6) Terminal disinfection: Thorough cleaning.

(b) General measures-

(1) Exclusion of suspected milk supply from public sale or use, until pasteurized. The exclusion of the milk of an infected cow or cows in small herds is possible when based on bacteriological examination of the milk of each cow, and preferably the milk from each quarter of the udder at frequent intervals. Exclusion of human cases or carriers from handling milk or milk products.

(2) Pasteurization of all milk.

(3) Education in the principles of personal hygiene and avoidance of the use of common towel, drinking and eating utensils.

Smallpox.-1. Infectious agent: Unknown,

2. Source of infection: Lesions of the mucous membranes and skin of infected

3. Mode of transmission: By direct personal contact; by articles soiled with discharges from lesions. The virus may be present in all body discharges, including feces and urine. It may be carried by flies.

4. Incubation period: 8 to 16 days. (Cases with incubation period of 21 days

are reported.)

Period of communicability: From first symptoms to disappearance of all scabs and crusts.

6. Methods of control: (a) The infected individual and his environment—

(1) Placard required.

(2) Isolation of the infected person, in hospital if possible, in screened room, free from vermin, until period of infectivity is over.

(3) Quarantine of all contacts for 16 days from date of last exposure or

until protected by successful vaccination.

(4) Immunization: Vaccination shall be offered to all contacts.

(5) Concurrent disinfection of all discharges, and of articles soiled therewith. No articles to leave the surrounding of the patient without boiling or equally effective disinfection.

(6) Terminal disinfection: Thorough cleaning and disinfection of premises.
(b) General measures.—(1) General vaccination in infancy; revaccination

of children when entering school and of the entire population when the disease is prevalent. Encouragement of every city passing an ordinance requiring vaccination of school children before they may be permitted to attend school.

Suphilis.-1. Infectious agent: Treponema pallidum.

- 2. Source of infection: Discharges from the lesions of the skin and mucous membranes, and the blood of infected persons, and articles freshly soiled with such discharges or blood in which the treponema pallidum is present.
- 3. Mode of transmission: By direct personal contact with infected persons, and indirectly by contact with discharges from lesions or with the blood of such persons.

4. Incubation period: About three weeks; in rare instances reported to have been as long as 70 days.

5. Period of communicability: As long as the lesions are open upon the skin, or mucous membranes at any stage of the disease.

6. Methods of control: (a) The infected individual and his environment— (1) No placard, except where patient violates rules and regulations of board of health. (2) Isolation: None.

(3) Quarantine: None, except when patient refuses to abide by instructions of attendant or health officer.

(4) Immunization: None.

(5) Concurrent disinfection: The patient shall be instructed by his physician in the measures necessary to protect the public. Concurrent disinfection of discharges and of articles soiled therewith.

(6) Terminal disinfection: None.

(b) General measures—The local health officer shall furnish every physician reporting a case of syphilis with a copy of the written instructions provided by the State department of health, which shall be given by the physician to the infected person. Physicians should be instructed to refer all cases not able to afford the expense of a complete cure to the nearest free venereal-disease clinic, or to county health officer or county physician.

Tetanus.-1. Infectious agent: Tetanus bacillus, (clostridium tetani).

Source of infection: Animal manure, soil, and street dust.
 Mode of transmission: Inoculation, or wound infection.

4. Incubation period: 4 days to 3 weeks, or longer, if latent bacilli deposited in the tissues are stirred to activity by subsequent chemical or mechanical irritation. Commonly 8 to 10 days.

5. Period of communicability: Patient not infectious except in rare instances

where wound discharges are infectious,

6. Methods of control: (a) The infected individual and his environment.-

(1) No placard,

- (2) Isolation: None.(3) Quarantine: None.
- (4) Immunization: By at least one, and preferably two, injections of antitoxin.
 - (5) Concurrent disinfection: None.(6) Terminal disinfection: None.

(b) General measures—

(1) Educational propaganda such as "safety-first" and "safe and sane Fourth of July" campaigns.

(2) Prophylactic use of tetanus antitoxin where wounds have been acquired in regions where the soil is known to be heavily contaminated, and in all cases where wounds are ragged or penetrating.

(3) Removal of all foreign matter as early as possible from all wounds.

Trachoma.-1. Infectious agent: Undetermined.

2. Source of infection: Secretions and purulent discharges from the con-

junctivæ and adnexed mucous membranes of the infected persons.

3. Mode of transmission: By direct contact with infected persons and indirectly by contact with articles freshly soiled with the infective discharges of such persons.

4. Incubation period: Undetermined.

- 5. Period of communicability: During the persistence of lesions of the conjunctivæ and of the adnexed mucous membranes or of discharges from such lesions.
 - Methods of control: (a) The infected individual and his environment—
 No placard.
- (2) Isolation: Exclusion of the infected person from school as long as the lesions persist.

(3) Quarantine: None.(4) Immunization: None.

(5) Concurrent disinfection of discharges and articles soiled therewith.

(6) Terminal disinfection: Thorough airing and cleaning.

(b) General measures-

- Search for cases by examination of school schildren and the families and associates of recognized cases.
 - (2) Enforcement of regulations prohibiting common towels in public places.

(3) Education of the public in personal cleanliness. Trichinosis.—1. Infectious agent: Trichinella spiralis.

- 2. Sourse of infection: Uncooked or insufficiently cooked meat of infected hogs.
 - 3. Mode of transmission: Consumption of undercooked infected pork products.

4. Incubation period: Variable; usually about one week.

5. Period of communicability: Disease is not transmitted by human host.

6. Methods of control: (a) The infected individual and his environment-

(1) No placard.

(2) Isolation: None. (3) Quarantine: None. (4) Immunization: None.

(5) Concurrent disinfection: Sanitary disposal of the feces of the patient.

(6) Terminal disinfection: None.

(b) General measures—(1) Education of the public in the need for thorough cooking of all pork products at a temperature of 160° F. or over.

Tuberculosis.—1. Infectious agent: (a) Pulmonary—Tubercle bacillus (human), (Mycobacterium tuberculosis) (hominis).
(b) Other than pulmonary—Tubercle bacillus, (human and bovine), (My-

cobacterium tuberculosis) (hominis et bovis).

2. Source of infection: (a) Pulmonary—The specific organism present in the discharges, or articles freshly soiled with the discharges from any open tuberculous lesions, the most important discharge being sputum. Of less importance are discharges from the intestinal and genitourinary tracts, or from lesions of the lymphatic glands, bone, and skin.

(b) Other than pulmonary: Discharges from mouth, nose, bowels, and genitoarinary tract of infected humans; articles freshly soiled with such discharges; milk from tuberculous cattle; rarely the discharging lesion of bones, joints,

and lymph nodes,

3. Mode of transmission: (a) Pulmonary: Direct or indirect contact with an infected person by coughing, sneezing, or other droplet infection, kizsing, common use of unsterilized food utensils, pipes, toys, drinking cups, etc., and possibly by contaminated flies and dust.

(b) Other than pulmonary: By direct contact with infected persons, by contaminated food, and possibly by contact with articles freshly soiled with the

discharges of infected persons.

4. Incubation period: (a) Pulmonary: Variable and dependent upon the type of the disease.

(b) Other than pulmonary: Unknown.

5. Period of communicability: Exists as long as the specific organism is eliminated by the host. Commences when a lesion becomes an open one-i. e., discharging tubercle bacilli, and continues until it heals.

6. Methods of control: (a) The infected individual and his environment-

(1) No placard.

(2) Isolation of such open cases as do not observe the precautions necessary to prevent the spread of the disease.

(3) Quarantine: None. (4) Immunization: None.

(5) Concurrent disinfection of sputum and articles soiled with it. Particular attention should be paid to prompt disposal or disinfection of sputum itself, of handkerchiefs, cloths, or paper soiled therewith, and of eating utensils used by the patient.

(6) Terminal disinfection: Thorough airing, cleaning, and sunning.

(b) General measures-

Pulmonary

(1) Education of the public in regard to the dangers of tuberculosis and the methods of control with especial stress upon the danger of exposure and infection in early childhood.

(2) Provision, as far as possible, for dispensaries and visiting nurse service for early discovery and proper supervision of home cases.

(3) Hospitalization of advanced cases, as far as possible.

- (4) Advocation of open-air schools and preventoria for pretuberculosis children.
- (5) Improvement of housing and working conditions by inspection and educational campaigns.

(6) Education of the public in personal cleanliness and in the need for better

living conditions.

(7) Prohibition of any person while affected with open tuberculosis from teaching in any college, university, seminary, or in any public, parochial or other private school; or from being employed as janitor or otherwise in any school building; or in a dairy; or as a cook or otherwise in any hotel, restaurant, hospital, sanatorium, or other institution where, in the performance of his duties, he handles or comes in contact with food or drink for others. Prohibition of any person affected with open tuberculosis from serving as janitor, sexton, or caretaker, in whole or in part, of any church, hall, lodge, or club rooms, auditorium, or any public building, or any other place used for public assemblies or meetings of any character whatsoever.

Other than pulmonary

(1) Pasteurization of milk and inspection of meats.

(2) Eradication of tuberculosis cows from milch herds used in supplying raw milk.

(3) Patients with open lesions should be prohibited from handling foods which are consumed raw.

Tularemia.—1. Infectious agent: Bacterium tularense; pasteurella tularensis.

2. Source of infection: Wild rabbits and ground squirrels; also infected laboratory animals—infected flies (Chrysops discalis) and ticks (Dermacentor andersoni.)

3. Mode of transmission: By bites of infected flies and ticks and by inoculation through handling infected animals, as in dressing rabbits for market and cooking, or in performing necropsies on infected laboratory animals. Eye infections have been caused by contamination of the conjunctival sac with portions of the internal organs or with the body fluids of infected flies, ticks, and wild rabbits.

4. Incubation period: From 24 hours to 9 days; average slightly more than

3 days.

5. Period of communicability: There is no authentic record of transfer of the disease from man to man. The infection has been found in the blood during the first two weeks; in conjunctival scrapings and in lymph glands up to 17 days; in the spleen taken at autopsy up to 26 days. Flies are infective for 14 days, ticks throughout their lifetime. Refrigerated wild rabbits are infective for three weeks.

6. Methods of control; (a) The infected individual and his environment—

(1) No placard.

(2) Isolation: None. (3) Quarantine: None. (4) Immunization: None.

(5) Concurrent disinfection: Disinfection of discharges from the ulcer, lymph glands, or conjunctival sac.

(6) Terminal disinfection: None.

(b) General measures

(1) Avoidance of the bites of, or handling of, flies and ticks when working in the infected zones during the seasonal incidence of the deer fly and tick.

(2) The use of rubber gloves by persons engaged in dressing wild rabbits wherever taken, or when performing necropsies on infected laboratory animals. Employment of immune persons for dressing wild rabbits or conducting laboratory experiments. Thorough cooking of meat of wild rabbits.

Typhoid fever .- 1. Infectious agent: Typhoid bacillus, (Eberthelda typhi). 2. Source of infection: Bowel discharges and urine of infected individuals.

Healthy carriers are common.

3. Mode of transmission: Conveyance of the specific organism by direct or indirect contact with a source of infection. Among indirect means of transmission are contaminated water, milk, and shellfish. Contaminated flies have been common means of transmission in epidemics.

4. Incubation period: From 7 to 23 days, averaging 10 to 14 days.

5. Period of communicability: From the appearance of prodromal symptoms, throughout the illness and relapses during convalescence, and until repeated bacteriological examinations of the discharges show persistent absence of the infecting organism.

6. Methods of control: (a) The infected individual and his environment-

(1) Placard required.

(2) Isolation of the infected person in fly-proof room, preferably under hospital conditions, of such cases as can not command adequate sanitary environment and nursing care in their homes. Release from isolation should be determined by two successive negative cultures of stool and urine specimens collected not less than 24 hours apart.

(3) Quarantine: None.

(4) Immunization: Vaccination of all susceptibles shall be offered.

- (5) Concurrent disinfection of the bowel and urinary discharges and articles soiled with them.
 - (6) Terminal disinfection: Cleaning.
 - (b) General measures-
 - (1) Supervision and control of public milk and water supplies.
 - (2) Sanitary disposal of human excreta; prevention of fly breeding.
 - (3) Extension of immunization by vaccination.
- (4) Search for carriers among exposed persons by examination of stools and urine.
- (5) Supervision of typhoid carriers and their exclusion from the handling of foods.
- (6) Prohibition of any person infected with or living in a family where there exists typhoid fever from engaging in any occupation in connection with a dairy; or with the handling of milk, cream, ice cream, or other food products; or from serving as cook, waiter, or otherwise in any hotel, restaurant, or boarding house; or in any hospital, sanatorium, or other institution where in the performance of his duties he either handles or comes in contact with food or drink for others.

Typhus fever.—1. Infectious agent: Rickettsia prowazeki is believed to be the causative agent.

- 2. Source of infection: The blood of infected individuals.
- 3. Mode of transmission: Infectious agent transmitted by lice, (Pediculus corporis, P. capitis).
 - 4. Incubation period: 5 to 20 days, usually 12 days.
- 5. Period of communicability: Until 36 hours have elapsed after the temperature reaches normal.
 - 6. Methods of control: (a) The infected individual and his environment—
 - (1) Placard required.
 - (2) Isolation in a vermin-free room during the clinical course of the disease.
 - (3) Quarantine of exposed susceptibles for 14 days after last exposure.
 - (4) Immunization: None.
- (5) Concurrent disinfection: Destruction of lice and eggs on the body of patient and in the room occupied by the infected individual.
- (6) Terminal disinfection: Destruction of all lice and eggs on body of patient and in the room occupied by the infected individual.
- (b) General measures—(1) Delousing of persons, clothing, and premises during epidemics, or when they have come or have been brought into an uninfected place from an infected community.

Vincent's angina.—6. Methods of control: (a) The infected individual and his environment—

- (1) No placard.
- (2) Isolation of the infected person until lesions are healed.
- (3) Quarantine: None.
- (4) Immunization: None.
- (5) Concurrent disinfection of discharges from lesions and articles soiled therewith.
 - (6) Terminal disinfection: Thorough cleaning.
- Whooping cough.—1. Infectious agent: Pertussis bacillus of Bordet and Gengou, (Hemophilus pertussis).
- 2. Source of infection: Discharges from the laryngeal and bronchial mucous membranes of infected persons, (rarely also in infected dogs and cats, which are known to be susceptible).
- Mode of transmission: Contact with an infected person or animal or with articles freshly soiled with the discharges of such persons or animals.
 Incubation period: Commonly 7 days, almost uniformly within 10 days.
- 5. Period of communicability: Particularly communicable in the early catarrhal stages before the characteristic whoop makes a clinical diagnosis possible. The catarrhal stage occupies from 7 to 14 days. After the characteristic whoop has appeared the communicable period continues certainly for three weeks. Even if the spasmodic cough with whoop persists longer than this it is most unlikely that the infecting organism can be isolated from the discharges. The communicable stage must be considered to extend from seven days after exposure to an infected individual to three weeks after the development of the characteristic whoop.
 - 6. Methods of control: (a) The infected individual and his environment-
 - (1) Placard required.

- (2) Isolation: Separation of the patient from susceptible children, and exclusion of the patient from school and public places for the period of presumed infectivity.
- (3) Quarantine: Exclusion of nonimmune children from school and public gatherings for 10 days after their last exposure to a recognized case.
- (4) Immunization: Use of prophylactic vaccination may be offered. Not effective in all cases.
- (5) Concurrent disinfection: Discharges from the nose and throat of the patient and articles soiled with such discharges.
- (6) Terminal disinfection: Cleaning of the premises used by the patient.
 (b) General measures.—Education in habits of personal cleanliness and in the dangers of association or contact with those showing catarrhal symptoms with cough.

Yellow fever .- 1. Infectious agent: Unknown.

- 2. Source of infection: The blood of infected persons,
- 3. Mode of transmission: By the bite of infected, (Aedes aegypti), mosquitoes.
- 4. Incubation period: Three to five days, occasionally six days:
- 5. Period of communicability: First three days of the fever.
- 6. Methods of control: (a) The infected individual and his environment-
- (1) Placard required.
- (2) Isolation of the infected individual in a screened room; if necessary the room or ward should be freed from mosquitoes by fumigation. Isolation necessary for the first three days of the fever.
 - (3) Quarantine: Contacts for six days.
 - (4) Immunization: None.
 - (5) Concurrent disinfection: None.
- (6) Terminal disinfection: Upon termination of case the premises should be rendered free from mosquitoes by fumigation by sulphur or cyanide gas.
- (b) General measures—(1) Eradication of mosquitoes by known methods.
 (2) Inspection service in time of epidemics for the detection of those ill with the disease.

Pupils—Testing and Examination for Defective Sight and Hearing and Nose and Throat Diseases. (Ch. 89, Act March 2, 1927)

SEC. 3. Section 2283, Wyoming Compiled Statutes, 1920, is amended and reenacted to read as follows:

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SEC. 2283. Teachers to make tests.—It shall be the duty of every teacher engaged in teaching in the public schools of the State, together with the help and assistance of the county health nurse or county physician, or both, separately and carefully to test and examine every child under his or her jurisdiction to ascertain if such child is suffering from defective sight or hearing or diseases of nose or throat: Provided, That such examination shall be made without using drugs or instruments.

Sec. 10. Repeal.—Sections * * * 2267, * * * 2272, * * * Wyoming Compiled Statutes, 1920 * * * are hereby repealed.

SEC. 11. This act shall take effect and be in force from and after July 1,

State Tuberculosis Hospital—Creation of Fund for Support and Maintenance of. (Ch. 48, Act February 23, 1927)

Section 1. A fund is hereby created to be called the Wyoming Tuberculosis Sanatorium maintenance fund.

SEC. 2. All moneys received by the State board of charities and reform for the care and treatment of patients in the Wyoming Tuberculosis Sanatorium at Basin, Wyo., or from the sale of any products produced or grown on the premises of the said Wyoming Tuberculosis Sanatorium, or that shall be produced on said premises, or that shall accrue to the credit of said Wyoming Tuberculosis Sanatorium from any source whatsoever, shall be deposited in the State treasury and credited to the fund provided for the support and maintenance of the said Wyoming Tuberculosis Sanatorium.

UNITED STATES

Milk and Cream—Regulation of Importation into United States. (Act of Congress, February 15, 1927, 44 Stat. 1101)

That on and after the date on which this act takes effect the importation into the United States of milk and cream is prohibited unless the person by whom such milk or cream is shipped or transported into the United States

holds a valid permit from the Secretary of Agriculture.

SEC. 2. Milk or cream shall be considered unfit for importation (1) when all cows producing such milk or cream are not healthy and a physical examination of all such cows has not been made within one year previous to such milk being offered for importation; (2) when such milk or cream, if raw, is not produced from cows which have passed a tuberculine test applied by a duly authorized official veterinarian of the United States, or of the country in which such milk or cream is produced, within one year previous to the time of the importation, showing that such cows are free from tuberculosis: (3) when the sanitary conditions of the dairy farm or plant in which such milk or cream is produced or handled do not score at least 50 points out of 100 points according to the methods for scoring as provided by the score cards used by the Bureau of Dairy Industry of the United States Department of Agriculture at the time such dairy farms or plants are scored; (4) in the case of raw milk if the number of bacteria per cubic centimeter exceeds 300,000 and in the case of raw cream 750,000, in the case of pasteurized milk if the number of bacteria per cubic centimeter exceeds 100,000, and in the case of pasteurized cream 500,000; (5) when the temperature of milk or cream at the time of importation exceeds 50° F.

SEC. 3. The Secretary of Agriculture shall cause such inspections to be made as are necessary to insure that milk and cream are so produced and handled as to comply with the provisions of section 2 of this act, and in all cases when he finds that such milk and/or cream is produced and handled so as not to be unfit for importation under clauses 1, 2, and 3 of section 2 of this act, he shall issue to persons making application therefor permits to ship milk and/or cream into the United States: Provided, That in lieu of the inspections to be made by or under the direction of the Secretary of Agriculture he may, in his discretion, accept a duly certified statement signed by a duly accredited official of an authorized department of any foreign government and/or of any State of the United States or any municipality thereof that the provisions in clauses 1, 2, and 3 of section 2 of this act have been complied with. Such certificate of the accredited official of an authorized department of any foreign government shall be in the form prescribed by the Secretary of Agriculture, who is hereby authorized and directed to prescribe such form, as well as rules and regulations regulating the issuance of permits to import

milk or cream into the United States.

The Secretary of Agriculture is hereby authorized, in his discretion, to waive the requirement of section 2, paragraph 4, of this act when isuing permits to operators of condenseries in which milk and/or cream is used when sterilization of the milk and/or cream is a necessary process: Provided, however, That no milk and/or cream shall be imported whose bacterial count per cubic centimeter in any event exceeds 1,200,000: Provided further, That such requirements shall not be waived unless the farm producing such milk to be imported is within a radius of 15 miles of the condensary in which it is to be processed: Provided further, That if milk and/or cream imported when the requirements of section 2, paragraph 4, have been so waived, is sold, used, or disposed of in its raw state or otherwise than as condensed milk by any person, the permit shall be revoked and the importer shall be subject to fine, imprisonment, or other penalty

prescribed by this act.

The Secretary of Agriculture is directed to waive the requirements of paragraphs 2 and 5 of section 2 of this act in so far as the same relate to milk when

issuing permits to operators of, or to producers for delivery to, creameries and condensing plants in the United States within 20 miles of the point of production of the milk, and who import no raw milk except for pasteurization or condensing: Provided, That if milk imported when the requirements of paragraphs 2 and 5 of section 2 have been so waived is sold, used, or disposed of in its raw state, or otherwise than as pasteurized, condensed, or evaporated milk by any person, the permit shall be revoked and the importer shall be subjected to

fine, imprisonment, or other penalty prescribed by this act. The Secretary of Agriculture is hereby authorized and directed to make and enforce such regulations as may in his judgment be necessary to carry out the purpose of this act for the handling of milk and cream, for the inspection of milk, cream, cows, barns, and other facilities used in the production and handling of milk and/or cream and the handling, keeping, transporting, and importing of milk and/or cream: Provided, however, That unless and until the Secretary of Agriculture shall provide for inspections to ascertain that paragraphs 1, 2, and 3 of section 2 have been complied with, the Secretary of Agriculture shall issue temporary permits to any applicants therefor to ship or transport

milk and/or cream into the United States. The Secretary of Agriculture is authorized to suspend or revoke any permit for the shipment of milk or cream into the United States when he shall find that the holder thereof has failed to comply with the provisions of or has violated this act or any of the regulations made hereunder, or that the milk and/or cream brought or shipped by the holder of such permit into the United States is not produced and handled in conformity with, or that the quality thereof does not conform to, all of the provisions of section 2 of this act.

SEC. 4. It shall be unlawful for any person in the United States to receive milk or cream imported into the United States unless the importation is in accordance with the provisions of this act.

SEC. 5. Any person who knowingly violates any provision of this act shall, in addition to all other penalties prescribed by law, be punished by a fine of not less than \$50 nor more than \$2,000, or by imprisonment for not more than one year, or by both such fine and imprisonment.

SEC. 6. There is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of \$50,000 per annum, to enable the Secretary of Agriculture to carry out the provisions of this act.

SEC. 7. Any laws or parts of laws inconsistent herewith are hereby repealed. SEC. 8. Nothing in this act is intended nor shall be construed to affect the powers of any State, or any political subdivision thereof, to regulate the ship-ment of milk or cream into, or the handling, sale, or other disposition of milk or cream, in such State or political subdivision after the milk and/or cream shall have been lawfully imported under the provisions of this act.

SEC. 9. When used in this act-

(a) The term "person" means an individual, partnership, association, or

(b) The term "United States" means continental United States.

SEC. 10. This act shall take effect upon the expiration of 90 days from the date of its enactment.

Regulations for Enforcement of Federal Import Milk Act. (Reg. Secretary of Agriculture, July 12, 1927)

REGULATION 1. Short title of the act.—For the purposes of these regulations the act "To regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health" shall be known and referred to as "the Federal import milk

REGULATION 2. Scope of the act.—The provisions of the act apply to all milk and cream offered for import into the continental United States.

REGULATION 3. Definitions.—For the purposes of this act and of these regula-

tions:

(a) Milk is the whole, fresh, clean, lacteal secretion obtained by the complete milking of one or more healthy cows, properly fed and kept, excluding that obtained within 15 days before and 5 days after calving, or such longer period as may be necessary to render the milk practically colostrum free.

(b) Cream is that portion of milk, rich in milk fat, which rises to the surface

of milk on standing or is separated from it by centrifugal force.

(e) Condensed milk, as the term is used in section 3, paragraph 2, includes evaporated milk in the manufacture of which sterilization of the milk and cream is a necessary and usual process; it includes sweetened condensed milk only if it is prepared by a process which insures sterilization of the milk and cream. Condensed milk, as the term is used in section 3, paragraph 3, means

sweetened condensed milk.

(d) Evaporated milk is the product resulting from the evaporation of a considerable portion of the water from milk, or from milk with adjustment, if necessary, of the ratio of fat to nonfat solids by the addition or by the abstraction of cream. It contains not less than 7.8 per cent of milk fat nor less than 25.5 per cent of total milk solids: Provided, however, That the sum of the percentages of milk fat and total milk solids be not less than 33.7.

(e) Sweetened condensed milk is the product resulting from the evaporation of a considerable portion of the water from milk to which sugar (sucrose) has been added. It contains not less than 28 per cent of total milk solids and not

less than 8 per cent of milk fat.

(f) Pasteurization is the process whereby every particle of milk or cream is subjected to a temperature not lower than 142° F. for not less than 30 minutes, after which the product is promptly cooled to 50° F. or lower.

(g) A shipper is anyone, other than a common carrier, who ships, transports, or causes to be shipped or transported into the United States milk or cream

(h) Secretary means the Secretary of Agriculture of the United States.

(i) Chief means the Chief of the Food, Drug, and Insecticide Administration. REGULATION 4. Physical examination of cows.—Physical examination of any and all cows in herds producing milk or cream which is to be shipped or transported into the United States shall be made by an authorized veterinarian of the United States or of any State or municipality thereof or of the country in which such milk or cream is produced to determine whether such cow or cows are in a healthy condition. Such examination shall be made as often as the Secretary may deem necessary and, in any event, shall have been made within one year previous to the time of the importation.

The result of the physical examination shall be set forth in the form prescribed

by the Secretary.

REGULATION 5. Tuberculin test.—Except as provided in regulation 16, any and all animals in herds producing milk or cream which is to be shipped or transported raw into the United States shall be free from tuberculosis, as determined by a tuberculin test applied by an official veterinarian of the United States or of any State or municipality thereof or of the country in which such milk or cream is produced. Such test shall be made as often as the Secretary may deem necessary and, in any event, shall have been made within one year previous to the time of the importation. All animals showing positive or suspicious reactions to the tuberculin test must be permanently removed from the

The results of the tuberculin test and all facts concerning the disposal of reacting or suspected animals shall be set forth in the form prescribed by the

Secretary.

REGULATION 6. Sanitary inspection of dairy farms.—The sanitary conditions of any dairy farm producing milk or cream to be shipped or transported into the United States or to a plant from which milk or ceram is to be shipped or transported into the United States must score at least 50 points out of 100 points, according to the methods for scoring as provided by the score card for sanitary inspection of dairy farms used by the Bureau of Dairy Industry of the United States Department of Agriculture at the time of scoring.

REGULATION 7. Sanitary inspection of plants.—The sanitary conditions of any plant handling milk or cream any part of which is to be shipped or transported into the United States shall score at least 50 points out of 100 points, according to the methods for scoring as provided by the score card for sanitary inspection of such plants used by the Bureau of Dairy Industry of the United States De-

partment of Agriculture at the time of scoring.

REGULATION 8. Scoring .- Scoring of sanitary conditions required by regulations 6 and 7 shall be done by an official inspector of the United States or of any State or municipality thereof or of the country in which the dairy farm or plant is located.

REGULATION 9. Pasteurization-Equipment and methods.-All dairy farms and plants at which any milk or cream is pasteurized for shipment or transportation into the United States shall employ adequate pasteurizing machinery of a type easily cleaned and of sanitary construction, capable of holding every portion of the milk or cream at the required temperature for the required time. Such pasteurizing machinery shall be properly equipped with accurate time and temperature recording devices, which shall be kept at all times in good working order. The temperature at the time of heating and holding must invariably be recorded on thermograph charts, initialed, numbered, and dated by the official having jurisdiction over such farms and plants. All thermograph charts shall be held for a period of one year unless within that period they have been examined and released by such authorized agents as are designated by the Secretary.

REGULATION 10. Method of bacterial count.—The bacterial count of milk and cream refers to the number of viable bacteria as determined by the standard plate method of the American Public Health Association in use at the time of

REGULATION 11. Authority to sample and inspect.-Inspectors engaged in the enforcement of the act are empowered to test for temperature, to take samples of milk or cream, and to use such means as may be necessary for these purposes.

REGULATION 12. Permits for pasteurized milk or cream .- Permits to ship or transport pasteurized milk or cream into the United States will be granted only upon compliance with the requirements of clauses 1 and 3 of section 2

of the act, regulation 4 and regulations 6 and 7, as applicable.

REGULATION 13. Permits for raw milk or cream.—Except as provided in regulation 16, permits to ship or transport raw milk or cream into the United States will be granted only when the milk or cream comes from dairy farms or plants where pasteurization is not carried on, and then only upon compliance with the requirements of clauses 1, 2, and 3 of section 2 of the act, regulations 4

and 5 and regulations 6 and 7, as applicable.

REGULATION 14. Permits granted on certificates .- In the discretion of the Secretary, a permit may be granted on a duly certified statement signed by a duly accredited official of an authorized department of any foreign government or of any State of the United States or any municipality thereof. Such statement shall be in the form of a certificate prescribed by the Secretary and shall have attached thereto, as a part thereof, signed copies of reports prescribed by regulations 4, 5, and also by regulations 6 and 7, as applicable. The necessary inspections and examinations upon which the reports are based shall be made by persons who are acting under the direct supervision of the certifying official.

REGULATION 15. Permits waiving clause 4, section 2.—The Secretary, in his discretion, will issue to a shipper who is an operator of a condensery a permit waiving the requirements of clause 4 of section 2 of the act and allowing milk and cream containing not to exceed 1,200,000 bacteria per cubic centimeter to be shipped or transported into the United States if the condensery is located within a radius of 15 miles of the point of production of the milk and cream and such milk and cream are to be sterilized in the manufacture of condensed

milk.

REGULATION 16. Permits waiving clauses 2 and 5, section 2.—A permit to ship or transport raw milk into the United States will contain a waiver of clauses 2 and 5 of section 2 of the act when the shipper is an operator of a creamery or condensery, or is a producer shipping or transporting to a creamery or condensery, and the creamery or condensery is located in the United States within a radius of 20 miles of the point of production of such milk, and the milk, prior to its sale, use, or disposal, is pasteurized, condensed, or evaporated.

REGULATION 17. Temporary permits.—A temporary permit will be granted only upon a satisfactory showing that the applicant therefor has been unable to obtain the necessary inspections required by the applicable provisions of section 2 of the act. Temporary permits shall be valid until the Secretary shall provide for inspection to ascertain that clauses 1, 2, and 3 of section 2

of the act have been complied with.

REGULATION 18. Examinations and inspections must be allowed .- Dairy farms and plants from which milk or cream is shipped or transported into the United States shall be open at all reasonable times to authorized agents for necessary examinations and inspections. Failure to permit such examinations and inspections may be considered cause for the suspension or revocation of the permit.

REGULATION 19. Application for permit.—Application for a permit to ship or transport milk or cream into the United States shall be made by the actual shipper upon forms prescribed by the Secretary. The request for forms of applications for permits should be addressed to chief, Food, Drug, and Insecticide Administration, United States Department of Agriculture, Washington, D. C.

REGULATION 20. Permit number.—Each permit issued under this act, including each temporary permit, shall bear an individual number. The right to

the use of such number is restricted solely to the permittee.

Each container of milk or cream shipped or transported into the United States by such permittee shall have firmly attached thereto a tag in the following form, bearing the required information in clear and legible type:

Product

(State whether raw milk, pasteurized milk, raw cream, or pasteurized cream)

Permit number

Federal import milk act.

U. S. Department of Agriculture.

Shipper

Address of shipper

Provided, That in case of unit shipments consisting of milk only or cream only under one permit number, in lieu of each container being so marked, the vehicle of transportation, if sealed, may be tagged with the above tag, which should in addition show the number of containers and the quantity of contents of each.

REGULATION 21. Suspension and revocation of permit.—A permit to ship or transport milk or cream into the United States may be suspended for cause at any time. A permit may be revoked for cause after opportunity to be heard has been accorded the permittee, who may appear in person, by attorney, or by

letter and show cause why the permit should not be revoked.

REGULATION 22. Hearing before prosecution.—Before a violation of the act is referred to the Department of Justice for prosecution under section 5, an opportunity to be heard will be given to the party against whom prosecution is under consideration. The hearing will be private and confined to questions of fact. The party notified may present evidence, either oral or written, in person or by attorney, to show cause why he should not be prosecuted. After a hearing is held, if it appears that the law has been violated, the facts will be reported to the Department of Justice.

Habit-Forming Drugs—Obtaining by Persons in Virgin Islands Entitled to Sell, Deal in, Dispense, Prescribe, and Distribute. (Act of Congress, January 22, 1927, 44 Stat. 1023)

[This act amends section 2 of the narcotic act of December 17, 1914, as

amended, by adding the following after the last sentence:]

The President is further authorized and directed to issue such Executive orders as will permit those persons in the Virgin Islands of the United States lawfully entitled to sell, deal in, dispense, prescribe, and distribute the aforesaid drugs, to obtain said drugs from persons registered under this act within the continental United States for legitimate medical purposes, without regard to the order forms described in this section.

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